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Meeting - Meeting

August 3, 2000

3946th

June 21, 2001

3988rd Meeting

VOL. 66

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Record of the Three Thousand Nine Hundred and Forty Sixth (3946th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 3, 2000.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort and Sheppard.

The Records of the Commission Meeting held on July 20, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Kane, July 20, 2000, recommending the following on Contract No. P99-2025-C1A, with Walker Construction, Inc., for New Metal Projected Windows and Overhead Doors at MDC Garage, Brighton –
(a) That work be accepted as completed as of June 15, 2000.
(b) That Estimate No. 1 (Final), in the amount of $82,982.50, be approved for payment.
(c) That reserve in the amount of $4,367.50, be approved for payment.
(Basis of Award - $87,350.00)
(Amount to Date - $87,350.00)
(Contract Performance Rating – 82 with 100 being excellent)
(EEO Compliance – 3.20)
The Commission V O T E D: that the work of Walker Construction, Inc., Contractor under Contract No. P99-2025-C1A, be and hereby is accepted as complete as of June 15, 2000.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $82,982.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,367.50, for payment.

2. Report of Messrs. Faucher and Lenhardt and Ms. Peterson, July 27, recommending approval of a revision in quantity on Item No. 6 – Open Grate Deck Replacement, in the amount of $72,500.00 and an extension of time from October 2, 2000 to January 2, 2001, which is necessary for processing shop drawings and fabrication of material associated with the revision quantity, on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge, Cambridge.
(Funding in the amount of $29,250.00 will be offset by unused quantities in Item No. 7 – Open Grate Deck Removal and Replacement and funds for the remaining portion of the revision, in the amount of $43,250.00 are available in Account No. 2440-9990).
The Commission V O T E D: to approve a revision in quantity, in the amount of $72,500.00 on Item No. 6 on Contract No. P93-1672-C4A.
The Commission further V O T E D: to approve an extension of time from October 2, 2000 to January 2, 2001, as recommended by Messrs. Faucher and Lenhardt and Ms. Peterson in their

report of July 27, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Abounaja, July 5, on bids for Asbestos Abatement from Various MDC Facilities, Contract No. P00-2064-C1A. The engineers estimate for the contract is $76,200.00.
(Messrs. Faucher, Brooks and Abounaja recommend acceptance of the lowest bid received, that of SCS Environmental Services, Inc., for the Multiplier Factor of 0.580).
The Commission V O T E D: to accept the lowest bid received, that of SCS Environmental Services, Inc., for the Multiplier Factor of 0.580, as recommended by Messrs. Faucher, Brooks and Abounaja in their report of July 5, 2000

2. Report of Messrs. Faucher and Brooks, July 12, on bids for Maintenance of Refrigeration Systems Located in Ice Skating Rinks within the Metro Parks System, Contract No. P00-2078-M2A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of Lewis Refrigeration Company, of $557,610.00).
The Commission V O T E D: to accept of the lowest bid received, that of Lewis Refrigeration Company, of $557,610.00.

3. Report of Messrs. Faucher, Brooks and Martinez, July 20, requesting that the Commission amend its vote of June 22, 2000, awarding Contract No.P00-2053-C2A, for Renovations to Service Building at Connors Pool, to Allied Weatherproofing Co., Inc., by changing the vote to read – to accept the lowest bid received, that of Allied Weatherproofing Co., Inc., of $320,050.00.
The Commission V O T E D: to amend its vote of June 22, 2000, awarding Contract No.P00-2053-C2A, for Renovations to Service Building at Connors Pool, to Allied Weatherproofing Co., Inc., by changing the vote to read – to accept the lowest bid received, that of Allied Weatherproofing Co., Inc., of $320,050.00, as requested by Messrs. Faucher, Brooks and Martinez in their report of July 20, 2000.

4. Report of Messrs. Faucher, Brooks and Haider, July 28, recommending rejection of the bid of the Entwistle Company on Contract No. P00-2060-M2A, for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites as their bid of $128,243.80, was more than 50% above the engineer's estimate and authorization be granted to readvertise the project as Contract No. P00-2060-M3A.
Time for Performance – two years.
Value - $170,000.00 - $85,000.00 per year.
Funding for FY01 from Account No. 2440-0010.
FY02 – subject to appropriation.
The Commission V O T E D: to reject the bid of the Entwistle Company on Contract No. P00-2060-M2A, for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites as their bid of $128,243.80, was more than 50% above the engineer's estimate.

The Commission further V O T E D: authorization to readvertise the project as Contract No. P00-2060-M3A.

1. Report of Messrs. Faucher, Brooks and Haider, July 28, requesting approval of an extension of time from July 31, 2000 to September 15, 2000, on Contract No. P99-2004-M2A, with R. Zoppo Corporation, for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites, to allow for continuation of Hydraulic Systems Service at flood control sites, until a new contract is awarded.
The Commission V O T E D: to approve an extension of time from July 31, 2000 to September 15, 2000, as requested by Messrs. Faucher, Brooks and Haider in their report of July 28, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Balicki, July 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2008-C1A, for Replacement of DHW and Heating, MDC Headquarters.
Estimated Cost - $120,000.00. Time for Performance – ten weeks.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2008-C1A, for Replacement of DHW and Heating, MDC Headquarters.

Action was taken upon the following Various Matters:

3. Report of Mr. Murphy and Mrs. Johnson, July 24, requesting approval and authorization to advertise for Environmental and Health Safety Training Services.
Time for Performance – three years with two Commission options to renew for one year each.
Contract cost - $60,000.00 – at the rate of $20,000.00 per year. Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for Environmental and Health Safety Training Services.

4. Report of Mr. Jewett, July 21, on behalf of a Selection Committee, requesting approval of the selection of Yee Consulting Group, Inc., for Industrial Hygienist Services for Asbestos Abatement at Various MDC Facilities, Contract No. P00-2063-D1A.
Cost – not-to-exceed $16,500.00 – paid on a unit price basis for labor and laboratory services.
Time for Performance – one year from Notice to Proceed.
Account No. 2440-4994.
The Commission V O T E D: Approved.

Adjourned at 9:50 a.m., to meet on Thursday, August 10, 2000, at 9:00 a.m.

William F. Cushing
Secretary

Record of the Three Thousand Nine Hundred and Forty Seventh (3947th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 10, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Rollins.

Records of the Commission Meeting held on July 27, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, August 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2089-M1A, for Improvement and Refurbishment of Hydrocell Crash Cushions.
Estimated Cost - $100,000.00
Time for Performance – two years.
Account No. 2444-9001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2089-M1A, for Improvement and Refurbishment of Hydrocell Crash Cushions.

2. Report of Messrs. Faucher and Griffin, August 2, recommending approval of revisions in quantities on Contract No. P96-1866-C1A, with B & E Construction Corporation, for Repair of McCarthy Overpass, Somerville, as follows –

Item No. 4 – Structural Steel	$11,900.00
Item No. 5 – Clean and Lubricate Bearings	$ 1,750.00
Total -	$13,650.00

Funding from Account No. 2440-9990.
The Commission V O T E D: Approved

3. Report of Mr. Faucher and Mrs. Graves Jones, July 28, recommending approval of revisions in quantities on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, as follows –

Item No. 003-010 – 4 inch Reflectorized (Thermoplastic)	$ 99.45
Item No. 006-010 – Symbol & Legends (Paint)	$ 301.78
Item No. 009-010 – Pavement Marking Removal (Thermo)	$3,978.45
Item No. 010-010 – Traffic Control	$ 768.00
Total -	$5,147.68

(At no additional Contract cost as the revisions will be offset by unused quantities in Item No. 007-010 – Reflectorized Pavement Symbols and Legends (Thermoplastic).
The Commission V O T E D: Approved

4. Report of Messrs. Faucher and Lenhardt, August 1, requesting approval of an extension of time from August 22, 2000 to June 30, 2001 and an increase in Item No. 48 – Construction Trailer – from 24 months to 34 months – at a cost of $10,000.00, on Contract No.PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park/Phase I, Neponset River Reservation.

1. (At no increase in Contract cost, as the revision will be offset by unused quantities Item No. 47 – Laboratory Analytical Work – Both Sites).
The Commission V O T E D: to approve an extension of time from August 22, 2000 to June 30, 2001, as requested by Messrs. Faucher and Lenhardt, in their report of August 1, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve an increase in Item No. 48 – Construction Trailer – from 24 months to 34 months – at a cost of $10,000.00, on Contract No. PL97-044-C1A.

2. Report of Messrs. Faucher and Lenhardt, August 4, requesting approval of Assignment No. 4 – for cement concrete deck repair to Sweetser Bridge (Bridge #25) – (Contract No.P99-1989-C1D) – at a cost of $20,892.97, on Contract No P99-1989-C1A, for Emergency Standby for Bridge Repairs – the work was performed by SPS New England.
Funding from Account No. 2490-0012.
The Commission V O T E D: to approve Assignment No. 4 – for cement concrete deck repair to Sweetser Bridge (Bridge #25) – (Contract No.P99-1989-C1D) – at a cost of $20,892.97, on Contract No P99-1989-C1A, as requested by Messrs. Faucher and Lenhardt, in their report of August 4, 2000

3. Report of Messrs. Faucher and Lenhardt, August 3, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1 – for Assignment No. 3 – for removal of cast iron fascia from Longfellow Bridge (Contract No. P99-1989-C1C) – at a cost of $15,661.72 and with police services a total cost of $16,231.72, on Contract No. P99-1989-C1A, for Emergency Standby for Bridge Repair – the work was performed by SPS New England.
Funding from Account No. 2490-0012.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 1 – for Assignment No. 3 – for removal of cast iron fascia from Longfellow Bridge, as requested by Messrs. Faucher and Lenhardt in their report of August 3, 2000.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $15,661.72 along with police services for a total cost of $16,231.72.

4. Report of Messrs. Faucher and Brooks, August 4, recommending approval of a revision in quantities on Item No. 025-010 – Parts and Materials – at an increase of $6,846.96 on Contract No. P98-1957-M1A, with Lewis Refrigeration Co., Inc., for Maintenance of Refrigeration Systems at Various MDC Ice Skating Rinks.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 023-010 – for labor).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

5. Report of Messrs. McGinn and Baratta, June 27, requesting approval of the request of the Contractor for an extension of time from April 29, 2001 to November 15, 2001, on Contract

No. WM97-061-C3H, with C .J. P. & Sons Construction Co., Inc., Fort Sumter/ Center/Davis Hill – East Sewers, Holden, MA.
The Commission V O T E D: to approve an extension of time from April 29, 2001 to November 15, 2001,as requested by Messrs. McGinn and Baratta in their report of June 27, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. McGinn and Vignaly, July 21, requesting authorization to purchase the Gunderboom Reservoir Protection System at Malagasco Brook for the fixed fee of $24,000.00. The system has been in place since Spring 1999 as a pilot demonstration project sponsored by EPA. The successful project is complete and the manufacturer has offered to sell the system at a substantially reduced price.
Funding from Account No. 2420-1400 sub TT.
The Commission V O T E D: authorization to purchase the Gunderboom Reservoir Protection System at Malagasco Brook for the fixed fee of $24,000.00

Action was taken Action was taken upon the following Various Matters:

2. Report of Mrs. Overton Bussell, July 31, requesting execution of Concession Permit Agreement between the MDC and the Ski Market Limited, Inc. (SMLI), for the Recreational Equipment Rental Concession at the Edward J. McCormack, Jr. Bathhouse, Day Boulevard, South Boston, which was awarded on April 6, 2000, to (SMLI) for a period of five years.
The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:
Permit Agreement, dated August 10, 2000, between the MDC and the Ski Market Limited, Inc. (SMLI).

3. Report of the Concession Selection Committee, August 8, recommending award of a one-year permit to Ragged Mountain Ski Area, Inc., of Easton, MA, for Operation of the Blue Hill Ski Area for the period August 11, 2000 to April 1, 2001.
The Concession Selection Committee further requests authorization to make adjustments to the final details described in the permit, as the Committee deems necessary.
(Ragged Mountain Ski Area, Inc., the only bidder, proposes to make over $150,000.00 in permanent improvements to the Blue Hill Ski Area over the 7 ½ month permit period).
Associate Commissioner Carr noted that the award of the permit is a great start in the revitalization of the Blue Hill Ski Area.
He then stated he would like further time to review the proposal and the proposed permit prior to the request for execution.
Mr. Jewett stated that a copy of the permit will be given to the Commission for review well in advance of the meeting in which it will be submitted for execution.
The Commission V O T E D: to award a one-year permit to Ragged Mountain Ski Area, Inc., of Easton, MA, for Operation of the Blue Hill Ski Area for the period August 11, 2000 to April 1, 2000, as recommended by the Concession Selection Committee in their report of August 8, 2000.

The Commission further V O T E D: authorization for the Concession Selection Committee to make adjustments to the final details described in the permit, as the Committee deems necessary.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Adjourned at 9:45 a.m., to meet on Thursday, August 17, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Forty Eighth (3948th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 17, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Rollins.

Records of the Commission Meeting held on August 3, 2000 were read and approved.

The Secretary submitted for signature the following papers, which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P00-2084-C1A, dated August 17, 2000, with McConnell Enterprise, Inc., for Demolition of the Constitution Beach Bathhouse, Orient Heights, East Boston.

2. Contract No. P00-2078-M2A, dated August 17, 2000, with Lewis Refrigeration Company, for Maintenance of Refrigeration Systems Located in Ice Skating Rinks within the Metro Parks System.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Balicki, August 7, requesting approval of a revision in quantities on Item No. 001-030 – Patching – at an increase of $28,770.00 on Contract No. P00-2044-C1A, with B.S.A. Painting Co., Inc., for Waterblast, Caulk, Patch and Painting of Swimming Pools - Various Locations.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 001-010 – Waterblasting and 001-050 – Painting).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Griffin, August 10, recommending approval of the request of B & E Construction Corporation, General Contractor on Contract No. P96-1866-C1A, for Repair of McCarthy Overpass, Somerville, to engage the services of Superior Sealcoat, Inc., as subcontractor for Item Nos. 7 and 7A – Expansion Joint Replacement – at a cost of $6,722.00.
(At no additional Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Griffin in their report of August 10, 2000.

5. Report of Messrs. Faucher and Lenhardt and Miss Petersen, August 11, recommending approval of Extra Work Order No. 1, for repairs to the First Street Bridge Operators House, Cambridge – at a cost of $21,234.66, on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to the First Street Bridge, Cambridge.
Funding from Account No. 2440-9990.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $21,234.66.

1. Report of Messrs. Faucher and McCalla, August 2, recommending approval of a revision in quantities on Item No. 6 – Materials, Components and Parts - at a cost of $41,000.00, on Contract No. P98-1961-M1A, with Coviello Electrical Contracting Company, Inc., for Electrical and Electronic Sound System Maintenance.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 1, 2, 3, 4 and 5).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Martinez, August 7, recommending that Contract No. P00-2052-C1A, with Cousins Contracting, Inc., for Concrete Deck Repairs, Cass Swimming Pool, Roxbury, be accepted as completed as of June 19, 2000.
(Basis of Award - $7,500.00)
(Amount to Date - $7,500.00)
(Contract Performance Rating – 4.00)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Cousins Contracting, Inc., Contractor under Contract No. P00-2052-C1A, be and hereby is accepted as completed as of June 19, 2000.

3. Report of Messrs. Faucher and Balicki, August 2, recommending the following on Contract No. P00-2041-C1A, with Global Contracting Services Inc., for Diatomaceous Earth Removal from Sewer Discharge, Reilly Pool, Cleveland Circle –
(a) That work be accepted as completed as of June 1, 2000.
(b) That Estimate No. 1 (Final), in the amount of $42,298.75, be approved for payment.
(c) That reserve, in the amount of $2,226.25, be approved for payment.
(Basis of Award - $44,525.00)
(Amount to Date - $44,525.00)
(Contract Performance Rating – 5.00)
(EEO Compliance - 4.67)
The Commission V O T E D: that the work of Global Contracting Services, Inc., Contractor under Contract No. P00-2041-C1A, be and hereby is accepted as completed as of June 1, 2000.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $42,298.75, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,226.25, for payment.

4. Report of Messrs. Faucher and Brooks, August 9, recommending the following on Contract No. P98-1957-M1A, with Lewis Refrigeration Co., Inc., for Maintenance of Refrigeration Systems at MDC Ice Skating Rinks –
(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 19 (Final), in the amount of $98,490.77, be approved for payment.
(c) That reserve, in the amount of $23,198.97, be approved for payment.
(Basis of Award - $553,999.00)
(Amount to Date - $733,328.96)
(Contract Performance Rating – 100 with 100 being excellent)

(EEO Compliance – 1.80)

The Commission V O T E D: that the work of Lewis Refrigeration Co., Inc., Contractor under Contract No. P98-1957-M1A, be and hereby is accepted as complete as of June 30, 2000.

The Commission further V O T E D: to approve Estimate No. 19 (Final), in the amount of $98,490.77, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $23,198.97, for payment.

1. Report of Messrs. Faucher and Abounaja, August 3, recommending the following on Contract No.P00-2049-C1A, with B.S.A. Painting Co., Inc., for Painting of Bandstand and Pavilions at the Revere Beach Reservation –

(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 2 (Final), in the amount of $44,127.50, be approved for payment.
(c) That reserve, in the amount of $6,679.00, be approved for payment.

(Basis of Award - $119,130.00)
(Amount to Date - $133,580.00)
(Contract Performance Rating – 4.00)
(EEO Compliance – 4.33)

The Commission V O T E D: that the work of B.S.A Painting Co., Inc., Contractor under Contract No. P00-2049-C1A, be and hereby is accepted as completed as of June 30, 2000.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $44,127.50, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $6,679.00, for payment.

2. Report of Messrs. Faucher and McCalla, August 11, recommending the following on Contract No.P98-1960-M1A, with F. M. Generators Emergency Service, Inc., for Maintenance of Prime and Emergency Generators at Various Locations –

(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 19 (Final), in the amount of $1,968.40, be approved for payment.
(c) That reserve, in the amount of $1,149.25, be approved for payment.

(Basis of Award - $84,390.00)
(Amount to Date - $58,702.07)
(Contract Performance Rating – 4.00)
(EEO Compliance – 4.00)

The Commission V O T E D: that the work of F. M. Generators Emergency Service, Inc., be and hereby is accepted as completed as of June 30, 2000.

The Commission further V O T E D: to approve Estimate No. 19 (Final), in the amount of $1,968.40, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $1,149.25, for payment.

1. Report of Messrs. Faucher, Carrigan and Machado, August 8, recommending approval of the following on Contract No.P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System – Revision in Quantities on Item No. 045-010 – 4" x 10" Wood Guard Rail – at a cost of $3,834.60.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 071-010 – Painting Chain Link Fence 2 Feet High to 6 Feet High and Item No. 072-010 – Painting Chain Link Fence 8 Feet to 12 Fee High).
Messrs. Faucher, Carrigan and Machado further recommend an extension of time from August 9, 2000 to February 9, 2001.
The Commission V O T E D: to approve the Revision in Quantities on Item No. 045-010, in the amount of $3,834.60.

2. The Commission further V O T E D: to approve an extension of time from August 9, 2000 to February 9, 2001, as recommended by Messrs. Faucher, Carrigan and Machado in their report of August 8, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Adjourned at 9:35 a.m., to meet on Thursday, August 24, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Forty Ninth (3949h) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, August 24, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Sheppard.

The Records of the Commission Meeting held on August 10 , 2000 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P00-2064-C1A, dated August 24, 2000, with SCS Environmental Services, Inc., for Asbestos Abatement from Various MDC Facilities.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Kane, August 7, requesting approval of Extra Work Order No. 8, to replace tile in the original bathrooms and install tile with pitched underlayment in the new handicapped bathrooms, in the amount of $7,084.00, on Contract No. P00-2042-C1A, with Massey Construction Corp., for Renovations to the McCrehan Memorial Pool House, North Cambridge.
Funding is available in Account No. 2440-0501.
Messrs. Faucher, Brooks and Kane further request approval of an extension of time from July 3, 2000 to August 30, 2000, which is necessary to complete Extra Work Order No.8.
The Commission V O T E D: to approve Extra Work Order No. 8, in the amountof $7,084.00.
The Commission further V O T E D: to approve an extension of time from July 3, 2000 to August 30, 2000, as requested by Messrs. Faucher, Brooks and Kane in their report of August 7, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Kane, August 11, recommending the following on Contract No. P00-2040-C1A, with Village Contracting Inc., for Painting of Exterior at One Woodlawn Road, Stoneham, MA –
(a) That work be accepted as completed as of May 15, 2000.
(b) That Estimate No. 1 (Final), in the amount of $9,072.00, be approved for payment.
(Basis of Award - $9,372.00)
(Total to Date - $9,072.00)
(Contract Administration Rating – 2.16)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Village Contracting Inc., Contractor under Contract No. P00-2040-C1A, be and hereby is accepted as completed as of May 15, 2000.
The Commission further V O T E D: to approve Estimate No. (Final), in the amount of $9,072.00, for payment.

1. Report of Messrs. Faucher, Brooks and Balicki, August 14, on bids for Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam Contract No. P00-2069-C1A.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of John Maliszewski, d/b/a, All Star Construction, in the amount of $126,448.00).
The Commission V O T E D: to accept the lowest bid received, that of John Maliszewski, d/b/a, All Star Construction, in the amount of $126,448.00

2. Report of Messrs. Faucher, Brooks and Haider, August 15, requesting that the Commission amend its vote of August 3, 2000, rejecting the bid of Entwistle Company on Contract No. P00-2060-M2A, for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites, and authorize the project to be readvertised as Contract No. P00-2060-M3A – by changing the vote to read P00-2062.
The Commission V O T E D: to amend its vote of August 3, 2000, rejecting the bid of Entwistle Company on Contract No. P00-2060-M2A, for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites, and authorize the project to be readvertised as Contract No. P00-2060-M3A – by changing the vote to read P00-2062, as requested by Messrs. Faucher, Brooks and Haider in their report of August 15, 2000.

3. Report of Messrs. Faucher and Balicki, August 9, recommending the following on Contract No. P00-2044-C1A, with B.S.A. Painting Co., Inc., for Water Blast, Caulk, Patch and Painting of Swimming Pools –
(a) That work be accepted as completed as of June 1, 2000.
(b) That Estimate No. 2 (Final), in the amount of $39,686.25, be approved for payment
(c) That reserve, in the amount of $7,343.75, be approved for payment.
(Basis of Award - $144,275.00)
(Amount to Date - $146,875.00)
Contract Performance Rating – 5.00)
(EEO Compliance – 4.17)
The Commission V O T E D: that the work of B.S.A. Painting Co., Inc., Contractor under Contract No. P00-2044-C1A, be and hereby is accepted as completed as of June 1, 2000.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $39,686.25, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $7,343.75, for payment.

4. Report of Messrs. Faucher and Balicki, August 16, recommending the following on Contract No. P99-1987-C1A, with J.F. White Contracting Co., for Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville –
(a) That work be accepted as complete as of June 27, 2000.
(b) That Estimate No. 1 (Final), in the amount of $101,726.00, be approved for payment.
(c) That reserve, in the amount of $5,354.00, be approved for payment.
(Basis of Award - $107,726.00)
(Amount to Date - $107,080.00)
(Contract Performance Rating – 3.50)

(EEO Compliance – 3.20)
The Commission V O T E D: that the work of J. F. White Contracting Co., Contractor under Contract No. P99-1987-C1A, be and hereby is accepted as completed as of June 27, 2000.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $101,726.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,354.00, for payment.

1. Report of Messrs. Faucher and DiPietro, June 28, recommending the following on Contract No. P99-2016-C1A, with J.W.H. Construction, Inc., for Charles River Locks and Dam, Marine Building, Smoke Stack and Brick Wall Repair –
(a) That work be accepted as completed as of November 9, 1999.
(b) That Estimate No. 3 (Final), in the amount of $6,938.14, be approved for payment.
(c) That reserve, in the amount of $1,436.62, be approved for payment.
(Basis of Award - $43,605.00)
(Amount to Date - $28,732.30)
(Contract Performance Rating 76 with 100 being excellent)
EEO Compliance – 4.60)
The Commission V O T E D: that the work of J.W.H. Construction, Inc., Contractor under Contract No.P99-2016-C1A, be and hereby is accepted as completed as of November 9, 1999.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $$6,938.14, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,436.62, for payment.

2. Report of Messrs. Faucher and McCalla, August 16, recommending the following on Contract No.P98-1961-M1A, with Coviello Electric and General Contracting Co., Inc., for Electrical and Electronic Sound System Maintenance at MDC Sports Facilities –
(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 24 (Final), in the amount of $52,575.94, be approved for payment.
(c) That reserve, in the amount of $11,739.86, be approved for payment.
(Basis of Award - $425,200.00)
(Amount to Date - $474,716.85)
(Contract Performance Rating – 4.14)
(EEO Compliance – 4.40)
The Commission V O T E D: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P98-1961-M1A, be and hereby is accepted as completed as of June 30, 2000.
The Commission further V O T E D: to approve Estimate No. 24 (Final), in the amount of $52,575.94, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $11,739.86, for payment.

1. Report of Mr. Faucher and Mrs. Graves Jones, August 17, recommending approval of revisions in quantities on Contract No. P00-2080-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, as follows –
Item No. 008-010 – Pavement Marking Removal (Paint - $3,127.14
Item No. 010-010 – Traffic Control Services - $ 428.00
Total - $3,555.14
Funding from Account No. 2490-8881.
The Commission V O T E D: Approved

2. Report of Messrs. Faucher and Balicki, August 10, recommending the following on Contract No. P00-2050-C1A, with J. D'Amico, Inc., for New Modular Gutter System and Associated Piping, Magazine Beach Pool, Cambridge –
(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 3 (Final), in the amount of $67,250.33, be approved for payment.
(c) That reserve, in the amount of $16,043.47, be approved for payment.
(Basis of Award - $263,498.00)
(Amount to Date - $320,869.44)
(Contract Performance Rating – 3.50)
(EEO Compliance – 4.50)
The Commission V O T E D: that the work of J. D'Amico, Inc., Contractor under Contract No. P00-2050-C1A, be and hereby is accepted as completed as of June 30, 2000.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $67,250.33, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $16,043.47, for payment.

3. Report of Messrs. Faucher, Carrigan and Machado, August 18, recommending approval of an extension of time from July 15, 2000 to October 31, 2000, on Contract No.P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks, due to need to provide emergency services until a new Contract award in October, 2000.
The Commission V O T E D: to approve an extension of time from July 15, 2000 to October 31, 2000, as recommended by Messrs. Faucher, Carrigan and Machado, in their report of August 18, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation

4. Report of Messrs. Faucher and Balicki, August 16, recommending the following on Contract No. P99-2000-C1A, with Davison Co., Inc., for Improvements to Ventilation, Neponset Garage, Dorchester –
(a) That work be accepted as completed as of November 15, 1999.

(b) That Estimate No. 3 (Final), in the amount of $801.34, be approved for payment.
(c) That reserve, in the amount of $4,627.18, be approved for payment.
(Basis of Award - $94,343.52)
(Amount to Date - $92,543.52)
(Contract Performance Rating – 2.333)
(EEO Compliance – 2.750)
The Commission V O T E D: that the work of Davison Co., Inc., Contractor under Contract No. P99-2000-C1A, be and hereby is accepted as completed as of November 15, 1999.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $801.34, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,627.18, for payment

1. Report of Messrs. Faucher and Carrigan, August 21, recommending approval of an extension of time from July 15, 2000 to October 31, 2000, on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, due to need to continue to provide emergency services until a new Contract award in October, 2000.
The Commission V O T E D: to approve an extension of time from July 15, 2000to October 31, 2000, as recommended by Messrs. Faucher and Carrigan in their report of August 21, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Thurlow, August 10, recommending the following on Contract No. P92-1628-C8A, with Greenscape Land Design, Inc., for 1999 Parkway Landscape Improvements –
(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 5 (Final), in the amount of $36,773.55, be approved for payment.
(c) That reserve, in the amount of $15,855.60, be approved for payment.
(Basis of Award - $282,162.00)
(Amount to Date - $317,112.00)
(Contract Performance Rating – 3.66)
(EEO Compliance – 3.83)
The Commission V O T E D: that the work of Greenscape Land Design, Inc., Contractor under Contract No. P92-1628-C8A, be and hereby is accepted as completed as of June 30, 2000.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $36,773.55, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $15,855.60, for payment

1. Report of Messrs. Faucher and Balicki, July 13, recommending the following on Contract No. P00-2051-C1A, with J. D'Amico, Inc., for Wading Pool Drains and Other Work at Various MDC Locations –
(a) That work be accepted as completed as of June 1, 2000.
(b) That Estimate No. 2 (Final), in the amount of $54,520.41, be approved for payment.
(c) That reserve, in the amount of $5,794.50, be approved for payment.
(Basis of Award - $19,300.00)
(Amount to Date - $119,889.91)
(Contract Performance Rating – 3.50)
(EEO Compliance – 4.33)
The Commission V O T E D: that the work of J. D'Amico, Inc., Contractor under Contract No. P00-2051-C1A, be and hereby is accepted as completed as of June 1, 2000.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $54,520.41, be approved for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,794.50, for payment.

2. Report of Messrs. Faucher and Sacco, July 31, recommending approval to pay Ledgewood Construction Co., Inc., Contractor on Contract No. P99-1999-C1B, for Installation of Pre-Purchased Bleacher Stand Materials at Hormel Stadium, Medford, the sum of $7,006.77 (Estimate No. 5), for contract claims associated with the installation of bleacher stand materials.
Messrs. Faucher and Sacco further recommend –
(a) That work be accepted as completed as of August 20, 1999.
(b) That reserve, in the amount of $3,450.00, be approved for payment.
(Basis of Award - $69,000.00)
(Total to Date - $76,006.77)
(Contract Performance Rating – 3.50)
(EEO Compliance – N/A)
The Commission V O T E D: approval to pay Ledgewood Construction Co., Inc., Contractor on Contract No. P99-1999-C1B, the sum of $7,006.77 (Estimate No. 5), for contract claims associated with the installation of bleacher stand materials.
The Commission further V O T E D: that the work of Ledgewood Construction Co., Inc., Contractor under Contract No. P99-1999-C1B, be and hereby is accepted as completed as of August 20, 1999.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,450.00, for payment.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Messrs. McGinn, Church and Kyker-Snowman, August 17, recommending the following on Contract No.WM98-050-S1A, with University of Massachusetts, Amherst, Department of Forestry and Wildlife Management, for Rare Species Mapping and Inventory –
(a) That work be accepted as completed as of June 30, 2000.
(b) That Final Invoice, in the amount of $688.31, be approved. for payment.

(Basis of Award - $120,000.00)
(Amount to Date - $120,000.00)
(Contract Performance Rating – Excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of the University of Massachusetts, Amherst, Department of Forestry and Wildlife Management, Contractor under Contract No. WM98-050-S1A, be and hereby is accepted as completed as of June 30, 2000.
The Commission further V O T E D: to approve Final Invoice, in the amount of $688.31, for payment.

Action was taken upon the following Various Matters:

1. Report of Mrs. Overton Bussell, August 18, requesting authorization to advertise for proposals for the operation of beach concession for the rental of beach chairs and umbrellas at Revere Beach and Nahant Beach beginning Summer of 2001 through the end of Summer 2005.
The Commission V O T E D: authorization to advertise for proposals for the operation of beach concession for the rental of beach chairs and umbrellas at Revere Beach and Nahant Beach beginning Summer of 2001 through the end of Summer 2005.

Commission Meeting of 9.28.00, the Commission VOTED: to amend its vote of 8.24.00 to acknowledge RM Blue Hill Incorporated as the Permittee & substitute RM Blue Hills Incorporated where appropriate within said vote of 8.24.00.

2. Report of Mr. Broderick, August 22, on behalf of the Concession Selection Committee, requesting that the Commission review and award the Permit to Operate the Blue Hill Ski Area for the 2000-2001 Season, to Ragged Mountain Ski Area, Inc.
Associate Commissioner Carr requested that the following item which was included in the Ragged Mountain Ski Area, Inc. proposal, be included in Attachment B of the Permit when it is presented to the Commission for execution –

6. Make necessary improvements to kitchen to meet health codes -
and in addition, include in the Permit as an attachment the following –

Attachment B1
REMOVEABLE UPGRADES

In consideration for sums received for lessons, lift ticket sales, and rentals of ski and other winter recreational equipment, as well as sums received via the offering of off-season activities and events, Ragged Mountain will complete the following:

Install handle tow lift for tubing or snowboarding	$ 35,000.00
Purchase new grooming equipment	$ 75,000.00
Provide state-of-art rental skis, snowboards and boots	$ 75,000.00
Provide air compressors for snowmaking	$ 40,000.00

Provide snow guns and hose	$100,000.00
Stock retail shop	$ 50,000.00
	$375,000.00

Mr. Jewett asked that the date to perform the improvements listed in Attachment B be changed from April 15, 2001 to December 1, 2000.
The Commission V O T E D: to award the Permit to Ragged Mountain Ski Area, Inc., to operate the Blue Hill Ski Area for the 2000-2001 Season.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

1. Report of Mrs. Overton Bussell, August 22, requesting approval and execution of Memorandum of Agreement (MOA) between the Metropolitan District Commission and the Commonwealth Zoological Corporation, d/b/a Zoo New England, FY2001. The MOA will allow funding in the amount of $6,000,000.00 to be transferred to the Corporation as provided for in Chapter 159, of the Acts of 2000, Section 2, Line Item 2443-2000.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Memorandum of Agreement (MOA), dated August 24, 2000, between the Metropolitan District Commission and the Commonwealth Zoological Corporation, d/b/a Zoo New England, FY2001, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. Jewett, August 22, on behalf of the Consultant Selection Committee requesting selection of Beta Engineering, Inc., for Floor Drains – Closure or
Continued Uses at Various MDC Facilities, Contract No. P00-2074-D1A.
Estimated Cost - $175,000.00 – subject to negotiations.
Time for Performance – eighteen months from Notice to Proceed.
Account No. 2440-4994.
The Commission V O T E D: to approve the selection of Beta Engineering, Inc., for Floor Drains – Closure or Continued Uses at Various MDC Facilities, Contract No. P00-2074-D1A.

Action was taken upon the following matter relating to the Office of General Counsel:

3. Report of Mr. Gray, August 21, recommending that the Commission approve and execute an Interagency Agreement with the Massachusetts Highway Department, to allow the Department to fill, cap and close the Big Granite Rail Quarry as an illegal dumping ground and/or a landfill, to construct improvements, and to restore the site, on property within the Quarry Hills section of the MDC Blue Hills Reservation, pursuant to the provisions of said Agreement, and in accordance with all applicable regulations and requirements of the Department of Environmental Protection and any and all other federal, state and local permitting authorities; and to authorize Commissioner Balfour to sign all other documents relating to and required by this project, including but not limited to, the Administrative Consent Order with the Department of Environmental Protection.
The Commission V O T E D: to approve an Interagency Agreement with the Massachusetts Highway Department, to allow the Department to fill, cap and close the Big Granite Rail

Quarry as an illegal dumping ground and/or a landfill, to construct improvements, and to restore the site, on property within the Quarry Hills section of the MDC Blue Hills Reservation, pursuant to the provisions of said Agreement, and in accordance with all applicable regulations and requirements of the Department of Environmental Protection and any and all other federal, state and local permitting authorities.

The Secretary then submitted for signature Interagency Agreement, dated August 24, 2000, with the Massachusetts Highway Department, which was signed by the Commissioner and three Associate Commissioners.

The Commission further V O T E D: to authorize Commissioner Balfour to sign, on behalf of the Commission, all other documents relating to and required by this project, including but not limited to, the Administrative Consent Order with the Department of Environmental Protection.

Adjourned at 10:00 a.m. to meet on September 7, 2000, at 9:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Nine Hundred and Fiftieth (3950h) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 7, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on August 17, 2000 were read and approved.

The Secretary submitted for signature the following paper, which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. WM00-002-CIA, dated September 7, 2000, with Green Environmental, Inc., to update the Fuel Dispensing Facilities, Clinton, Southborough, and West Boylston.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, August 31, recommending that the Commission authorize an amendment to the Use and Occupancy Permit approved by the Commission at its meeting of September 16, 1999, relating to the use by AP Cambridge Partners LLC of an existing parking lot on certain MDC property within the MDC Alewife Brook Reservation located in the City of Cambridge and the Town of Arlington, by substituting the name of the purchaser of record as the Permittee upon the transfer of the property adjoining said parking lot, and authorize Commissioner Balfour to execute any and all documents required to so amend the Permit, but provided that all terms and provisions of the Permit remain in full force and effect.

At this point, the matter of the amendment to the use and occupancy Permit was opened for discussion.

Representative Anne M. Paulson of Belmont stated that she has had a long interest in this property and open space and expressed her concern regarding its assignability to a party that is unknown to the MDC and residents of the area. She stated that the matter should be taken under advisement by the Commission, so that the residents of the area may have an opportunity for further input.

Associate Commissioner Carr questioned if there is a way, following theassignment of the Permit, that the new owner can be made to appear at community meetings to listen to and address the concerns of the public.

Mr. Gray stated that this would be incorporated into the vote. It would be the responsibility of the seller to work with the buyer to coordinate the meetings, he noted.

Richard Clarey of the North Cambridge Stabilization Committee stated that in his opinion the amendment is in violation of Article 49 and that it gives excessive delegation to the Commissioner. He then noted that the permittee is in violation of the existing Permit as signs have been installed in the parking area noting that the lot is for Arthur D. Little, Inc. employees and all others will be towed.

Associate Commissioner Carr stated any violations to terms of the Permit should be brought to the attention of MDC staff and they will be addressed.

Representative Alice K. Wolf of Cambridge, spoke and asked that the Parking lot be removed and the land be returned to an urban wilderness state. She stated that after the 3 ½ years

remaining on the Permit end, the new buyer will be dependent on the parking lot and will seek to have the Permit renewed. She then asked that the buyer be asked to make a statement that an extension of the Permit will not be sought and the statement be incorporated into the Permit

Aram Hollman of the Coalition for Alewife complained that more notice of today's meeting should have been forthcoming and stated that he was reiterating his opposition to the parking area. He then asked that the transfer of the Permit be denied.

Len Weitzman stated that he is a member of several neighborhood groups in the area and most members are upset by the use of the area as a parking lot. He noted that there is a very little open space in the area. He urged that the Commission act now and tell the new buyer that they cannot use the parking lot.

Elsie C. Fiore of the East Arlington Good Neighborhood Committee read a letter from Sheila G. Cook, Secretary for the Alewife Coalition, in which Ms. Cook registered her opposition to the amendment.

Mrs. Fiore then spoke of the flooded basements in the area, which she felt, were caused by the parking lot. She noted that this is the wilderness and should be returned to its natural state.

Michael Brandon of the North Cambridge Stabilization Committee spoke and stated that he agrees with all those in attendance who spoke in opposition to the transfer. He suggested that the matter be taken under advisement and then get all parties together to work out a solution. He further stated that he did not feel the Commission was getting fair market value for parking lot property.

Stash Horowitz of the Association of Cambridge Neighborhoods spoke on the value of the property.

Carolyn Meith of the Coalition for Alewife spoke and stated the parking lot should revert to the Commission when the property is sold by present owner. She then questioned how the Permit could be assigned to an unknown entity.

Associate Commissioner Carr stated that the Permit must be either transferred or revoked and he did not feel that there are grounds to revoke the permit.

At this point, on motion of Associate Commissioner Carr, the Commission VOTED: to approve the transfer of the Permit and authorize Commissioner Balfour to execute, on behalf of the Commission, any and all documents required to so amend the Permit, but provided that all terms and provisions of the Permit remain in full force and effect.

On further motion of Associate Commissioner Carr, the Commission VOTED: that prior to Commissioner Balfour executing said document, that a date certain be set within thirty (30) days for a public forum to be held which would include the new owner, the existing owner and any and all interested members of the public.

On further motion of Associate Commissioner Carr, the Commission VOTED: that it be emphasized to all parties that the Commission wants the ongoing dialogue between all interested parties to continue for the restoration of the existing parkland.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Martinez, August 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2093-CIA, for new Halfway Sanitary Facility, Nahant Beach, Nahant.

Estimated Cost - $220,000.00
Time for Performance – eight weeks.
Account No. 2440-8963.
The Commission V O T E D: Approved
The Commission further V O T E D: authorization to advertise Project No. P01-2093-CIA, for new Halfway Sanitary Facility, Nahant Beach, Nahant.

1. Report of Messrs. Faucher, Brooks and Haider, August 28, recommending approval of revisions in quantities on Contract No. P99-2004-M2A, with R. Zoppo Corp., for Maintenance and Service of Hydraulic Systems at Various Flood Control/Navigation Sites, as follows –

Item No. 001-010 -	Hourly Rates - for Licensed Technicians		$ 5, 167.50
Item No. 001-020 -	Hourly Rates - for Overtime Licensed Technicians		$ 2, 981.25
Item No. 001-030 -	Parts & Materials -		$ 1, 851.25
		Total	$10, 000.00

Funding from Account No. 2440-0010
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Martinez, August 30, requesting that the Commission rescind its votes taken on June 22 and August 3, 2000 awarding Contract No. P00-2053-C2A for Renovations to Service Building at Connors Memorial Pool, Waltham, to Allied Weatherproofing Co., Inc., for the sum of $320,050.00, as Allied Weatherproofing has been non-responsive in executing the contract. G.L. Ch. 149 S44E (E) stipulates that a bidder has five (5) working days to execute and return contract once presented to it.
Messrs. Faucher, Brooks and Martinez further request that the bid of Cousin Contracting Co. be rejected, for failing to hold their bid price and the bid of G.V.W. Inc. be rejected, as it was $100,000.00 above the engineer's estimate.
Messrs. Faucher, Brooks and Martinez further request authorization to re-advertise the project as Contract No. P00-2053-C3A.
Funding from Account Nos. 2440-0010 and 2440-9800.
The Commission V OT E D: to rescind it votes taken on June 22, and August 3, 2000, awarding Contract No. POO-2053-C2A for Renovations to Service Building at Connors Memorial Pool, Waltham to Allied Weatherproofing Co., Inc., for the sum of $320.050.00 as Allied Weatherproofing has been non-responsive in executing the Contract.
The Commission V O T E D: to approve the request that the bid of Cousin Contracting Co. be rejected, for failing to hold their bid price and the bid of G.V.W. Inc. be rejected as it was $100,000.00 above the engineer's estimate.
Funding from Account Nos. 2440-0010 and 2440-9800.
The Commission Further V O T E D: authorization to re-advertise the project as Contract No. P00-2053-C3A.

3. Report of Messrs. Faucher, Brooks and Haider, August 31, on bids Service to Hydraulic Systems at Various Flood Control/Navigational Sites, Contract No. P00-2062-M3A.

(Messrs. Faucher, Brooks and Haider recommend acceptance of the bid received for the two-year contract that of The Entwistle Company of FY01 - $86,449.00 and FY02 - $86,449.00, for a total of $172,898.00).
The Commission V O T E D: to accept the lowest bid received that of The Entwistle Company of FYOI- $86,449.00 and FY 02 -$86,449.00 for a total of $172,898.00.

1. Report of Messrs. Faucher, Brooks and Abounaja, August 28, requesting that the Commission amend its vote for March 9, 2000 for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites (Contract No. P00-2065-D1A), by increasing its value from $95,500.00 to $107,100.00. Funding from the Eminent Domain Trust Fund – to address the possible existence of contamination at the MDC facilities at the Old Canton Airport.
The Commission V O T E D: to Amend its vote for March 9, 2000 for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites (Contract No. P00-2065-D1A), by increasing its value from $95,500.00 to $107,100.00. Funding from the Eminent Domain Trust Fund.
Associate Commissioner Elkort did not participate in discussion or vote on this item.

2. Report of Messrs. Faucher and Griffin, August 31, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2090-DIA, for Professional Engineering Services for Bridges, Parkways and other Commission Facilities.
Estimated Cost - $300,000.00
Account No. 2440-9990.
Time for performance – estimated at two years.
The Commission V O T E D: Approved
The Commission further V O T E D: authorization to advertise Project No. P01-2090-DIA, for Professional Engineering Services for Bridges, Parkways and other Commission Facilities.

3. Report of Messrs. Faucher, Carrigan and Machado, September 1, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No P00-2088-CIA, for Remedial Joint Repair and Resurfacing of the Outbound Bridge Deck and Ramps on the Bowker Overpass.
Estimated Cost - $305,000.00
Time for Performance – two months
Account No. 2490-0012
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2088-CIA, for Remedial Joint Repairs and Resurfacing of the Outbound Bridge Deck and Ramps on the Bowker Overpass.

Amended by Commission Vote at Meeting of Sept. 13, 2001 The Commission voted to correct by deleting Acct. # 2490-0017 and inserting Acct # 2490-2001.

4. Report of Messrs. Faucher and Lenhardt, August 8, recommending approval of a revision in quantities on Item No. 002-010- Pile Cap Repair – at an increase of $102,000.00 on Contract No. P84-1276-CIA, with SPS New England, Inc., for Repairs to Cambridge Viaduct, Cambridge.
Funding from Account No. 2490-0017.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Lenhardt, Griffin and Ms. Peterson, August 30, recommending approval of Amendment No. 1 to Contract No. P99-1986-DIA, with Gannett Fleming, Inc., for Professional Engineering Services for Bridges, Parkways and other Commission Facilities which increases the upset limit by $100,000.00, for funding Beades Bridge work, Longfellow Bridge design, Peddocks Island Wharf and float design plus any future emergencies.
Funding from Account No. 2440-9990.
The Commission V O T E D: approval of Amendment No. 1 to Contract No. P99-1986-DIA, with Gannett Fleming, Inc., for Professional Engineering Services for Bridges, Parkways and other Commission Facilities, as recommended by Messrs. Faucher, Lenhardt, Griffin and Ms. Peterson in their report of August 30, 2000.

Action was taken upon the following Various Matter:

2. Report of Mrs. O'Brien and Mr. Corsi, August 2, requesting approval and authorization to issue a request for responses for design services for Magazine Beach Site Improvements, Charles River Basin, Cambridge – Contract No. PL00-067-DIA,
Estimated Cost - $140,000.00.
Design Phase – Estimated at six months. Contract duration estimated at twenty-one months from Notice to Proceed through construction completion.
Funding from Account No. 2448 – 0068.
The Commission V O T E D: Approved
The Commission further V O T E D: authorization to issue a request for responses for design services for Magazine Beach, Site Improvements, Charles River Basin, Cambridge – Contract No. PL00-067-DIA.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn, August 31, requesting approval of an extension of time from August 31, 2000 through November 15, 2000 on Contract No. WM97-033-XIA, with Viewpoint Engineering, Inc., for Septic System Database Project.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from August 31, 2000 through November 15, 2000 as requested by Mr. McGinn in his report of August 31, 2000.

4. Report of Messrs. McGinn and Kane, August 17, requesting permission to engage the services of Licensed Site Professional to supervise the removal and disposal of contaminated soil at the Division's Wilson Street Maintenance Facility in Clinton, Contract No. WM01-091-X1A.
Account No. 2420-1400.
Estimated Cost - $15,000.00.
Time for Performance – two months from Notice to Proceed.
The Commission V O T E D: Approved.

Adjourned at 11:15 a.m., to meet on Thursday, September 14, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Forty Sixth (3951st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 14, 2000.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on August 24, 2000 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Acting Commissioner and three Associate Commissioners:

1. Contract –Agreement No. P98-1937-DIA, dated September 14, 2000, with Rizzo Associates, Inc., for Wollaston Beach Rehabilitation Project, Quincy.

2. Contract No. P00-2069-CIA, dated September 14, 2000, with John Maliszewski, d/b/a All Star Construction, for Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Martinez, September 1, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project
No. P01-2098-CIA, for Demolition of Abandoned Structures at the Old Canton Airport, Neponset Street, Canton.
Estimated Cost - $48,000.00
Time for Performance – one week
Account No. 2440-8886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-098-CIA, for Demolition of Abandoned Structures at Old Canton Airport, Neponset Street, Canton.
Associate Commissioner Elkort did not participate in discussion or vote on this item.

4. Report of Messrs. Faucher and Lenhardt, August 17, recommending approval of the request of B & E Construction Corporation, General Contractor on Contract No. P00-2046-CIA, for Repairs to Woods Memorial Bridge Deck, Everett/Medford, to engage the services of Deluca Fence Co., Inc., as sub Contractor for Item No 4 and 5 (Removable Traffic Barrier and Removable Traffic Barrier Furnished), at a cost of $22, 400.00.
(At no increase in Contact Cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of August 17, 2000.

1. Report of Messrs. Faucher, Brooks and Abounaja, August 31, recommending that the Commission vote to find R H D Construction Co., Inc., Contractor on Contract No. P97-1898-CIA, for Unquity Road Landfill Closure, Milton, due to its failure to complete-
Task # 1 -Repair of all soil washouts due to instability of the landfill slope.
Task # 2 – Maintenance and watering of the newly seeded area which has caused at least half of the landfill to have no grass growth.
Task # 3 - Clearing the perimeter drainage swale and infiltration basin from soil due to erosion.
Total Estimated Cost to correct and/or complete Tasks 1, 2 and 3 -$30,000.00.
Messrs. Faucher, Brooks and Abounaja further recommend that the MDC's General Counsel be authorized to formally notify the contractor's surety of the default.
Messrs. Faucher, Brooks and Abounaja, further recommend that the MDC 's General Counsel be authorized to take appropriate action to enforce the surety's obligation to perform.
The Commission V O T E D: to find RHD Construction Co., Inc., Contractor on Contract No. P97-1898-CIA, for Unquity Road Landfill Closure, due to its failure to complete –
Task # 1 – Repair of all soil, etc.
Task # 2 – Maintenance and watering, etc.
Task #3 – Clearing the pavements, etc.
The Commission further V O T E D: To authorize General Counsel to formerly notify the Contractor's surety of the default.
The Commission further V O T E D: to authorize the MDC's General Counsel to take appropriate action to enforce the surety's obligation to perform the contract work identified as incomplete or defective.

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, September 7, requesting approval of an extension of time from December 31, 2000 to May 1, 2001, on Contract No. P97-1881-D2A, with Bourne Consulting Engineering, Inc., for Boston Harbor Islands, Pier Repairs Project, due to delay in bidding.
The Commission V O T E D: To Approve an extension of time from December 31, 2000 to May 1, 2001, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of September 7, 2000.

Action was taken upon the following Various Matters:

3. Report of Mrs. Overton Bussell, September 7, requesting permission to enter into an Interdepartmental Service Agreement (ISA) with the Division of Capital Asset Management for the design and construction of Constitution Beach Bathhouse in East Boston.
Cost estimated in a sum not to exceed $1,627,641.00.
Account No. 2441-8963.
Mrs. Overton Bussell further requests authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.
The Commission V O T E D: Approved.

The Commission further VOTED: authorization for Commissioner Balfour to execute the Interdepartmental Service Agreement on behalf of the Commission.

1. Report of Mrs. O'Brien, August 21, recommending approval and execution of Contract No. P95-038-D2A, with Comprehensive Environmental, Inc., for Environmental Remediation at North Point Park, Charles River Basin.
Contract amount - $359,511.25
Time for Performance – from Notice to Proceed to June 30, 2003.
Account No. 2449-0005.
The Commission VOTED: Approved.
As the Contract did not arrive in time for today's meeting, the Commission further VOTED: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

2. Report of Commissioner Balfour, September 12, recommending that the new soccer field and tot-lot, across from the Stone Zoo, on Pond Street, Stoneham, be named the Zina Greenwood Park, in memory of Zina M. Greenwood.
Associate Commissioner Carr noted that since the matter was recommended by the Commissioner, he was sure that the community and interested parties were contacted and there was no opposition to naming the facility in Ms. Greenwood's honor.
The Commission VOTED: Approved.

Adjourned at 10:25 a.m., to meet on Thursday, September 21, 2000, at 9:00 a.m.

William J. Crusher
Secretary

Record of the Three Thousand Nine Hundred and Fifty Second (3952nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 21, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Sheppard.

The Records of the Commission Meeting held on September 7, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, September 15, requesting approval of the following on Contract No. P85-1341-C2A, with BSA Painting Co., Inc., for Repair to Railings, Lynn Shore Drive, Lynn –
Extra Work Order No. 1 – for cleaning and painting street light poles, handrails on handicap ramps and small diameter handrails – at a cost of $13,396.00.
Revision in Quantity on Item No. 1 – bolt cutting – at a cost of $1,800.00.
(At no increase in Contract cost as there are sufficient funds in Item No. 2 – Replacement of Short or Missing Bolts to cover the $15,196.00 cost of Extra Work Order No. 1 and the Revision to Item No. 1).
Messrs. Faucher and Lenhardt further request approval of an extension of time from September 13, 2000 to October 12, 2000.
All at no increase in Contract cost.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $13,396.00.
The Commission further V O T E D: to approve the Revision in Quantity on Item No. 1, in the amount of $1,800.00.
The Commission further V O T E D: to approve an extension of time from September 13, 2000 to October 12, 2000, as requested by Messrs. Faucher and Lenhardt in their report of September 15,2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, September 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2100-D1A, for Engineering Services for Rehabilitation of Boston University Bridge, Boston – Cambridge.
Estimated Cost - $330,000.00. Cost - $330,000.00.
Time for Performance – thirty-six months. Account No. 2440-9990.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2100-D1A, for Engineering Services for Rehabilitation of Boston University Bridge, Boston – Cambridge.

3. Report of Messrs. Faucher and Soroka, August 24, recommending approval of the request of MRP Site Development, Inc., General Contractor on Contract No. P99-1988-C1A, for Santilli Circle Safety Improvements, Everett, to engage the services of DeLucca Fence Co., Inc., as sub-contractor for Furnishing and Installing of Guard Rail at a cost of $70,809.00.
(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Soroka, in their report of August 24, 2000.

1. Report of Messrs. Faucher and Balicki, September 11, recommending the following on Contract No. P00-2071-C1A, with All Star Construction, for Concrete and Grillage Repair and Hydraulic Cylinder Installation at Amelia Earhart Dam, Somerville –
(a) That work be accepted as completed as of July 31, 2000.
(b) That Estimate No. 2 (Final), in the amount of $6,393.50, be approved for payment.
(c) That reserve, in the amount of $1,236.50, be approved for payment.
(Basis of Award - $24,730.00)
(Amount to Date - $24,730.00)
(Contract Performance Rating – 4.00)
(EEO Compliance – Waiver)
The Commission V O T E D: that the work of All Start Construction, Contractor under Contract No. P00-2071-C1A, be and hereby is accepted as completed as of July 31, 2000.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $6,393.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,236.50, for payment.

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, September 12, recommending approval of the following on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation, Phase 2 –
Extra Work Order No. 24 – for Licensed Site Professional services, for Release Abatement Measures and disposal of contaminated soils at Pleasure Bay, at a cost of $30,436.50.
Extra Work Order No. 25 – for the removal and disposal of the existing deteriorated shade shelter, at Fitzgerald Circle and its replacement with a new 34' octagonal gazebo, at a cost of $100,000.00.
Funding for Extra Work Order No. 24 and 25 from Account No. 2440-8956.
Revision in Quantity on Item No. 100-002 – Traffic Control Services, at a cost of $2,500.00. At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 026-019 – Inflation Trench and 027-006 – Oil Trap Separator.
And an Extension of Time from September 30, 2000 to November 30, 2000 in order to complete the extra work and the revision in quantities.
The Commission V O T E D: to approve Extra Work Order No. 24, in the amount of $30,436.50.
The Commission further V O T E D: to approve Extra Work Order No. 25, in the amount of $100,000.00.
The Commission further V O T E D: to approve the Revision in Quantity on Item No. 100-002, in the amount of $2500.00.
The Commission further V O T E D: to approve an extension of time from September 30, 2000 to November 30, 2000, as recommended by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of September 12, 2000, to be effective, however, only upon receipt of the

written consent of the bonding company, and on condition that no further request will be made for additional compensation

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, August 17, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization for the Office of the Contract Administrator to advertise for bids on Project No. WM01-090-X1A, for Removal of Contaminated Soil and Associated Site Work, Wilson Street Maintenance Facility, Clinton.
Estimated Cost - $50,000.00.
Time for Performance – two months from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Office of the Contract Administrator to advertise for bids on Project No. WM01-090-X1A, for Removal of Contaminated Soil and Associated Site Work, Wilson Street Maintenance Facility, Clinton.

Action was taken upon the following Various Matter:

2. Report of Mrs. Overton Bussell and Mr. Faucher, September 18, requesting permission to enter into Cooperative Agreement No. 1443-CA4520-A-0111, with the United States Department of the Interior, National Park Service (NPS), for the design and construction work related to the removal and replacement of the underground storage tanks at Georges Island, with NPS providing funding in an amount not-to-exceed $75,000.00.
Mrs. Overton Bussell and Mr. Faucher further request authorization for Commissioner Balfour to execute the Cooperative Agreement on behalf of the Commission.
The Commission V O T E D: permission to enter into Cooperative Agreement No. 1443-CA4520-A-0111, with the United States Department of the Interior, National Park Service (NPS), for the design and construction work related to the removal and replacement of the underground storage tanks at Georges Island, with NPS providing funding in an amount not-to-exceed $75,000.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Cooperative Agreement on behalf of the Commission.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

3. Report of Mr. Broderick, September 15, recommending that the Commission amend the vote of August 24, 2000 to acknowledge RM Blue Hills Incorporated as the Permittee authorized by vote of the Commission on August 24, 2000 to operate the Blue Hills Ski Area by means of a one-year permit and the substitution of RM Blue Hills Incorporated where appropriate within said vote of August 24, 2000.
The Commission V O T E D: Held Over.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Adjourned at 9:30 a.m., to meet on Thursday, September 28, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Fifty Third (3953rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 28, 2000.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 14, 2000 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P00-2062-M3A, dated September 28, 2000, with The Entwistle Company, to Service Hydraulic Systems at Various Flood Control/Navigational Sites.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Carrigan and Machado, September 21, recommending approval of revisions in quantities on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System, as follows –

Item No. 053-010 BVC – C.L.F. 2 Ft. to 3 Ft. – 6 Inches High	**$1,086.00**
Item No. 065-010 BVC – C.L.F – 12 Ft. High	**$3,872.40**
	Total - $4,958.40

(At no increase in Contract cost as the revision to Item No. 053-010 will be offset by unused quantities in Item Nos. 048-010 and 049-010 - treated wood guard rail on back of steel posts and wood posts and Item No. 050-010 - remove, dispose or store wood guardrail installation. The cost of Item No. 065-010 will be offset by unused quantities in Item Nos. 067-010 - 6 gauge black vinyl clad chain link fence 3 ft. to 3 ft 6 inches high and 068-010 - 6 gauge black vinyl clad chain fence 4 ft. to 4ft 6 inches high.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Martinez, September 8, recommending the following on Contract No. P00-2031-C2A, with Francisco Demolition, Inc., for Demolition of Halfway Sanitary Facility at Nahant Beach, Nahant –
(a) Approval of a credit from the contractor in the sum of $4,500.00 for Item Nos. 3 and 4, patching of concrete floor slab and capping off pipes and conduits flush with the concrete floor.
(b) That work be accepted as completed as of August 2, 2000.
(c) That Estimate No. 1 (Final), in the amount of $16,150.00, be approved for payment.
(d) That reserve in the amount of $850.00, be approved for payment.
(Basis of Award - $21,500.00)
(Amount to Date - $17,000.00)

(Contract Performance Rating – 3.40)
(EEO Compliance – 3.75)

The Commission V O T E D: to approve a credit from the contractor in the sum of $4,500.00 for Item Nos. 3 and 4, patching of concrete floor slab and capping off pipes and conduits flush with the concrete floor.

The Commission further V O T E D: that the work of Francisco Demolition, Inc., be and hereby is accepted as completed as of August 2, 2000.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $16,150.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $850.00, for payment.

1. Report of Mr. Faucher and Mrs. Graves Jones, September 21, recommending approval of Extra Work Order No. 1 – New Cabinet Complete in Place, at a cost of $7,075.40, on Contract No. P00-2032-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
Funding From Account No. 2444-9001.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $7,075.40.

2. Report of Messrs. Faucher and Lenhardt, September 12, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P96-1819-C1A, for Rehabilitation of Sweetser Bridges (Nos. 20 and 25), Everett.
Estimated Cost - $2,550,000.00.
Time for Performance – one year.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P96-1819-C1A, for Rehabilitation of Sweetser Bridges (Nos. 20 and 25), Everett.

3. Report of Messrs. Faucher, Carrigan and Machado, September 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2095-C1A, for Replacement of Concrete Median Barrier, Nahant Beach Parkway, Nahant.
Cost - $290,000.00.
Time for Performance – two months.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2095-C1A, for Replacement of Concrete Median Barrier, Nahant Beach Parkway, Nahant.

4. Report of Messrs. Faucher and Lenhardt, September 25, recommending approval of an increase in funding from $1,300,000.00 to $1,550,000.00, on Contract-Agreement No. P93-1671-D1A, with Simpson Gumpertz & Heger, Inc., for Design Services for the Construction of the Storrow Drive Tunnel, as approved by the Commission March 28, 1996, due to financial restraints, this project was put on hold. In order to restart this project additional funding is necessary to cover

increased costs.
The Commission V O T E D: Approved

1. Report of Messrs. Faucher and Griffin, September 15, requesting approval of an extension of time from October 5, 2000 to November 15, 2000 on Contract No. P96-1866-C1A, with B & E Construction Corporation, for the Repair of McCarthy Overpass, Somerville, due to additional deterioration to the concrete and structural steel discovered during construction work.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 5, 2000 to November 15, 2000, as requested by Messrs. Faucher and Griffin in their report of September 15, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, September 21, requesting an extension of time from September 30, 2000 to November 30, 2000, on Contract No. P95-1804-S3A, with Rizzo Associates Inc., for Dorchester Shores Beaches Restoration Program.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Lenhardt, September 22, requesting approval and payment for Assignment No. 5, to SPS New England, for Structure Repairs to Beades Drawbridge, at a cost of $16,488.56, on Contract No. P99-1989-C1E, for Emergency Standby for Bridge Repair.
Account No. 2490-0012.
The Commission V O T E D: to approve payment for Assignment No. 5, to SPS New England, for Structure Repairs to Beades Drawbridge, at a cost of $16,488.56, on Contract No. P99-1989-C1E, for Emergency Standby for Bridge Repair, as requested by Messrs. Faucher and Lenhardt in their report of September 22, 2000.

Action was taken upon the following matters relating to the Office of Watershed Management:

4. Report of Mr. McGinn, August 25, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1738, conveying N.W. 1/8 of Lot No. 749, to Stanley J. and Lorette C. Kryzak.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1738, dated September 28, 2000, which was signed by the Commissioner and four Associate Commissioners.

5. Report of Messrs. McGinn and Pula, September 21, on proposals for the purchase of forest products located on the Ware River and Quabbin Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $14,020.24; to purchase approximately 107,848 board feet of timber, 66 cords of fuelwood and 130 cords of pulp on Timber Lot No. 4262 – Ware River Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Leclerc & Son, of $47,485.72; to purchase approximately 225,974 board feet of timber and 370 cords of fuelwood on Timber Lot No. 1002 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King Timber Harvesting, of $58,060.00; to purchase approximately 426,252 board feet of timber, 70 cords of fuelwood and 283 cords of pulp on Timber Lot No. 2003 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the only qualified bid, that of King Timber Harvesting, of $44,950.00; to purchase approximately 421,083 board feet of timber, 94 cords of fuelwood and 315 cords of pulp on Timber Lot No. 2004 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King Timber Harvesting, of $27,225.00; to purchase approximately 263,673 board feet of timber, 54 cords of fuelwood and 275 cords of pulp on Timber Lot No. 3007 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King Timber Harvesting, of $33,480.00; to purchase approximately 303,182 board feet of timber, 63 cords of fuelwood and 273 cords of pulp on Timber Lot No. 3008 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King Timber Harvesting, of $44,865.00; to purchase approximately 454,855 board feet of timber, 66 cords of fuelwood and 403 cords of pulp on Timber Lot No. 3009 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King Timber Harvesting, of $48,625.00; to purchase approximately 333,272 board feet of timber, 40 cords of fuelwood and 321 cords of pulp on Timber Lot No. 3010 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of New England Forest Products, of $40,501.00; to purchase approximately 273,959 board feet of timber and 30 cords of fuelwood on Timber Lot No. 3011 – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Wagner Wood, of $23,798.00; to purchase approximately 152,826 board feet of timber, 112 cords of fuelwood and 119 cords of pulp on Timber Lot No. 3012 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Zimmerman, September 18, requesting that the Division of Watershed Management Technical Assistance Grant Program be approved and authorization be granted to distribute the document to all watershed municipalities,
Regional Planning Agencies and other interested parties, as well as posted on Comm-PASS system.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to distribute the Division of Watershed Management Technical Assistance Grant Program document to all watershed municipalities, Regional Planning Agencies and other interested parties, as well as posted on Comm-PASS system

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Broderick, September 15, recommending that the Commission amend the vote of August 24, 2000 to acknowledge RM Blue Hills Incorporated as the Permittee authorized by vote of the Commission on August 24, 2000 to operate the Blue Hills Ski Area by means of a

one-year permit and the substitution of RM Blue Hills Incorporated where appropriate within said vote of August 24, 2000.
David Morse of the Friends of the Blue Hills spoke and commended the Commission for the award of the Permit to RM Blue Hills Incorporated. He stated that the next step should be preparation of a Master Plan for the area.
The Commission V O T E D: to amend the vote of August 24, 2000 to acknowledge RM Blue Hills Incorporated as the Permittee authorized by vote of the Commission on August 24, 2000 to operate the Blue Hills Ski Area by means of a one-year permit and the substitution of RM Blue Hills Incorporated where appropriate within said vote of August 24, 2000.
Associate Commissioner Elkort did not participate in discussion or vote on this matter

Action was upon the following Various Matters:

1. Report of Mrs. Overton Bussell, September 18, requesting approval and execution of Amendment No. 3 to the Memorandum of Agreement between the Boston Harbor Association and the Metropolitan District Commission regarding the Back to the Beaches Program, which provides additional funding in the sum of $10,000.00 for the continuation of the outreach and marketing activities associated with the Boston Harbor Beaches.
Funding available in Account No. 2440-8956.
The Commission V O T E D: Approved.

2. Report of Mrs. Davidge, September 20, recommending approval of an Amendment to Contract with Valley Communications Systems, Inc., for Electronic Surveillance System at Paul Revere Park, New Charles River Basin, as follows –
1. An extension of time from July 31, 2000 to July 31, 2001, due to coordination problems between the type of lines required by Bell Atlantic and the type of surveillance equipment supplied by Valley Communications Systems, Inc.
2. An increase in Contract cost from $27,260.00 to $38,173.90, an increase of $10,913.90, due to a change from a fixed to moveable camera and wiring – $5,869.80 and a monitor to the Charles River Dam - $5,044.10.
Funding from Account No. 2490-0016.
The Commission V O T E D: Approved as recommended by Mrs. Davidge in her report of September 20, 2000.

3. Report of Mrs. O'Brien and Mr. Corsi, September 22, requesting approval and execution of Amendment No. 3, for an extension of time from September 30, 2000 to September 30, 2001, on Contract No. PL99-059-D1C, with Mills Whitaker Architects LLC, for Restoration of Historic Landings, Charles River Esplanade, Boston, due to the need to prepare Phase I project construction documents and permitting.
(At no increase in Contract cost).
The Commission V O T E D: Approve.
The Secretary submitted for signature Amendment No. 3, dated September 28, 2000, on Contract No. PL99-059-D1C, with Mills Whitaker Architects LLC, which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 10:00 a.m., to meet on Thursday, October 5, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Fifty Fourth (3954th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 5, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 21, 2000, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, September 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P85-1341-C3A, for Repairs to Concrete Stairways, Lynn Shore Drive, Lynn.
Estimated Cost - $80,000.00.
Time for Performance – sixty days.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P85-1341-C3A, for Repairs to Concrete Stairways, Lynn Shore Drive, Lynn.

2. Report of Messrs. Faucher and Lenhardt, September 26, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1 – installation of plywood over broken windows in the operator's house – at a cost of $3,168.45, on Contract No. P00-2046-C1A, with B & E Construction Corp., for Repair of Woods Memorial Bridge Deck, Everett/Medford.
Funding from Account No. 2440-9990.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 1, on Contract No. P00-2046-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $3,168.45.

3. Report of Messrs. Faucher and Griffin, August 21, recommending approval of the following on Contract No. P96-1866-C1A, with B & E Construction Corp., for Repair of McCarthy Overpass, Somerville –

Extra Work Order No. 1	**$2,030.00**
Rust and deterioration discovered on the bearings after the bridge was jacked off of the pier.	
Revisions in Quantities	
Item No. 2	**$4,000.00**
Cement Concrete Removal	
Item No. 3	**$3,000.00**
Cement Concrete Masonry	
	Total - $7,000.00

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Funding for the Extra Work and Revisions from Account No. 2440-9990.
The Commission VOTED: to approve Extra Work Order No. 1, in the amount of $2,030.00.
The Commission further VOTED: to approve the Revisions in Quantities, in the amount of $7,000.00.

1. Report of Messrs. Faucher, Lenhardt, Griffin and Ms. Peterson, September 22, recommending approval of Amendment No. 2 to Contract-Agreement No. P99-1986-D1A, with Gannett Fleming, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, due to the need to increase the upset limit to fund additional design work on the Beades Drawbridge, Dorchester, at an increase of $150,000.00.
Funding from Account No. 2440-9990.
The Commission VOTED: Approved.

2. Report of Messrs. Faucher and Soroka, September 28, recommending approval of an extension of time from September 29, 2000 to May 15, 2001 on Milestone 9 – complete landscape improvements and on Milestone 10 – from October 27, 2000 to June 15, 2001 – (final acceptance), on Contract No. P99-1988-C1A, with MRP Site Development, Inc., for Santilli Circle Safety Improvement, Everett, due to discovery of unsuitable soils, stockpiling, and for performing material testing and locating an approved disposal facility.
The Commission VOTED: to approve an extension of time from September 29, 2000 to May 15, 2001 on Milestone 9 – complete landscape improvements and on Milestone 10 – from October 27, 2000 to June 15, 2001 – (final acceptance), on Contract No. P99-1988-C1A, as recommended by Messrs. Faucher and Soroka in their report of September 28, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Brooks and Abounaja, September 29, requesting that the Commission amend its vote of September 7, 2000, on Contract No. P00-2065-D1A, for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites by increasing the value by $2,500.00 – from $107,100.00 to $109,600.00.
(The additional funding is being provided by the MDC Watershed Division to address GEI Scope of Work for the observation, documentation and removal and disposal of 2500 gallon underground storage tank at the Forestry Office in West Boylston).
Funding from Account No. 2420-1400.
The Commission VOTED: to amend its vote of September 7, 2000, on Contract No. P00-2065-D1A, for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites by increasing the value by $2,500.00 – from $107,100.00 to $109,600.00, as requested by Messrs. Faucher, Brooks and Abounaja in their report of September 29, 2000.

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ting 12.06.01
the Commission
VOTED: to amend
vote of 10.05.00 by
substituting Contract
P99-2029-C1A for
ntract No. P01-2099-
C1A.

4. Report of Messrs. Faucher, Brooks and Balicki, September 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2099-C1A, for New Furnace and Boiler, Quincy Homestead, Quincy.
Estimated Cost - $25,000.00
Time for Performance – approximately forty-five days.
Account No. 2440-0010.

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2099-C1A, for New Furnace and Boiler, Quincy Homestead, Quincy.

1. Report of Messrs. Faucher, Brooks and Abounaja, September 14, recommending approval of the following on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities –

Extra Work Order No. 16 **$2,500.00**
Remove, transport and dispose of 1,000 gallon above ground storage tank from MDC Upper Basin Old Police Station in Brighton.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-004 – Furnish and Install 4,000 Gallon U.S.T.)

Revisions in Quantities

Item No. 001-001 **$4,000.00**
Remove and dispose of 1000 to 5000 gals. U.S.T. supply & return pipes, plus accessories.
Item No. 005-005 **$4,000.00**
Excavation & lawful disposal of contaminated soil at recycling facilities.

Total of Revisions in Quantities - $8,000.00

Funding for revisions from Account No. 2420-1400.
The Commission V O T E D: to approve Extra Work Order No. 16, in the amount of $2,500.00.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $8,000.00.

2. Report of Messrs. Faucher and Lenhardt, September 26, requesting approval of Alteration No. 9 to Extra Work Order No. 2, including Extra Work Claim No. 4 to Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, revised as follows –

Item No.	**Description**	**Total Cost**
1	New Bridge Deck	$ 25,000.00
2	Traffic Control	$ 10,075.00*
3	Removal & Transport of Soil	$ 150,000.00*
4	Survey & Layout of Trail	$ 45,000.00
5	Erosion, Sediment Control	$ 150,000.00
6	Clearing & Grubbing	$ 50,000.00
7B	Remove & Dispose of RR Ties	$ 12,000.00
8	Gravel Borrow	$ 113,168.00*
9	Health & Safety Plan & DEP Req.	$ 20,000.00
10	Incorporate Fill in Hallet St.	$ 382,500.00*
11	Survey & Layout at Hallet St.	$ 15,000.00
12	MBTA Flagging Services	$ 16,000.00*
13	Asphalt Removal	$ 17,173.00
14	Filter Fabric	$ 2,000.00

15	Re-survey Trail	$ 20,000.00
16	Extra Work Claim No. 4	$ 4,984.00+
		Total - $1,032,900.00

(*) Item increased/decreased
(+) Added Item for Extra Work Claim No. 4
The total cost of Extra Work Order No. 2 remains the same as last approved by the Commission on March 30, 2000.
The Commission V O T E D: to approve Alteration No. 9 to Extra Work Order No. 2, including Extra Work Claim No. 4 to Contract No. PL97-044-C1A, as requested by Messrs. Faucher and Lenhardt in their report of September 26, 2000.

1. Report of Messrs. Faucher, Brooks and Martinez, September 28, requesting approval of the following on Contract No. P00-2084-C1A, with McConnell Enterprises, Inc., for Demolition of the Constitution Beach Bathhouse, Orient Heights, East Boston -
Extra Work Order No. 1 **$31,950.00**
Removal of asbestos found in roof and around window caulking.
And an **Extension of Time** from October 9, 2000 to December 22, 2000 – due to additional work of asbestos abatement.
Funding from Account No. 2440-8963.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $31,950.00.
The Commission further V O T E D: to approve an extension of time from October 9, 2000 to December 22, 2000, as requested by Messrs. Faucher, Brooks and Martinez in their report of September 28 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Ms. Garnett, September 26, requesting approval of Amendment No. 3, for an extension of time from September 30, 2000 to December 30, 2000, on Contract-Agreement No. PL93-023-S1A, with Camp Dresser and McKee, for Due Diligence Investigation – Neponset River Trail – Dorchester/Milton.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Mrs. O'Brien, September 27, requesting approval of and authorization for the Contract Administrator to solicit proposals for Project No. PL00-063-S1A, to retain the services of a qualified conservator, for Restoration/Conservation of Sculptures, Esplanade, Charles River Basin.
Estimated Cost - $40,000.00.
Time for Performance – nine months – weather dependent.
Account No. 2448-0052.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for the Contract Administrator to solicit proposals for Project No. PL00-063-S1A

Adjourned at 10:45 a.m., to meet on Thursday, October 12, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Fifty Fifth (3955th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 12, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on September 28, 2000 were read and approved.

1. At this point, Mr. David Morse of the Friends of the Blue Hills, stated that in regard to the Permit to RM Blue Hills Incorporated to Operate the Blue Hill Ski Area, the Friends of the Blue Hills had overreacted and will not pursue fail safe. He did however suggest that he felt there was some ambiguity regarding which trail was to be widened and what trees were to be removed.
Associate Commissioner Carr requested a memo from the Division of Reservations and Historic Sites clarifying this matter.
The Secretary then submitted for signature the following paper, which was signed by the Commissioner and three Associate Commissioners:
Permit, dated October 12, 2000, to RM Blue Hills Incorporated to Operate the Blue Hill Ski Area for the 2000-2001 Season.
Associate Commissioner Elkort did not participate in discussion or sign the Permit.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, October 6, 2000 recommending that the Commission approve and execute a Management Agreement with Community Boating, Inc., for the operation of a public sailing and boating program at the Boat House located on the Charles River Basin in the City of Boston, on property within the MDC Charles River Reservation, pursuant to the provisions of said Agreement.
The Commission V O T E D: Approved.
The Secretary then submitted for signature the Management Agreement, dated October 12, 2000, with Community Boating, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and DiRamio, October 5, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P01-2100-C1A, for Construction of a new playground at the Shea Memorial Park, Quincy.
Estimated Cost - $35,000.00.
Time for Performance – 6 months.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2100-C1A, for Construction of a new playground at the Shea Memorial Park, Quincy.

1. Report of Messrs. Faucher, Brooks and Abounaja, September 20, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P00-2065-D2A, for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites.
Estimated Cost - $90,000.00.
Time for Performance – 1 year.
Account No. 2440- 4994.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2065-D2A, for Licensed Site Professional (LSP) Services for Various MDC Contaminated Sites.

2. Report of Messrs. Faucher and Haider, September 22, recommending the following on Contract No. P99-2003-M1A, with Inner Space Services, Inc., for Services to Underwater Structure Systems at Various Flood Control Navigational Sites –
(a) That work be accepted as completed as of July 31, 2000.
(b) That Estimate No. 7 (Final), in the amount of $14,259.50, be approved for payment.
(c) That reserve, in the amount of $750.50, be approved for payment.
(Basis of Award - $105,417.24)
(Total to Date - $101,806.68)
(Contract Administration Rating – 4.0 – on a scale of 1 to 5, with 5 being excellent)
(EEO Compliance – 4.00)
Associate Commissioner Elkort asked how many companies are available to perform this type of work.
Mr. Jewett responded that approximately four or five companies were prequalified with the Commission to do this work.
Associate Commissioner Rollins then inquired as to the number of sites involved.
Mr. Jewett responded that there were six sites.
The Commission then V O T E D: that the work of Inner Space Services, Inc., Contractor under Contract No. P99-2003-M1A, be and hereby is accepted as completed as of July 31, 2000.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $14,259.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $750.50, for payment.

3. Report of Messrs. Faucher an Haider, October 4, recommending the following on Contract No. P99-2002-M1A, with P. J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at Various Flood Control/Navigational Sites –
(a) That work be accepted as completed as of June 30, 2000.
(b) That Estimate No. 11 (Final), in the amount of $1,604.90, be approved for payment.
(c) That reserve, in the amount of $2,228.03, be approved for payment.
(Basis of Award - $44,760.00)
Total to Date - $44,560.61)
(Contract Administration Rating – 70 – on a scale of 1 to 100)

(EEO Compliance – 1.00)
The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor under Contract No. P99-2002-M1A, be and hereby is accepted as completed as of June 30, 2000.
The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount of $1,604.90, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,227.03, for payment.

1. Report of Messrs. Faucher, Brooks and Abounaja, October 4, requesting approval of Extra Work Order No. 1 – Supply Electric Generator, Heaters, Water Truck, Water Bus and Electricity to Peddocks Island Chapel in order to abate asbestos pipe insulation and asbestos building materials from the site – at a cost of $11,600.00, on Contract No. P00-2064-C1A, with SCS Environmental Services, Inc., for Asbestos Abatement from Various MDC Facilities. Messrs. Faucher, Brooks and Abounaja further request an increase in funding in the amount of $42,120.00 necessary to cover the cost of labor for the asbestos abatement from the Chapel. Funds are available in Account No. 2440-0031.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $11,600.00.
The Commission further V O T E D: to increase the funding in the amount of $42,120.00 necessary to cover the cost of labor for the asbestos abatement from the Chapel, as requested by Messrs. Faucher, Brooks and Abounaja in their report of October 4, 2000.

2. Report of Messrs. Faucher, Brooks and Balicki, October 4, requesting approval of Alteration No. 1 – change in scope of work after the receipt of bids - to furnish and install two large hydraulic cylinder operators in lieu of one small and one large cylinder operator – at a cost of $6,254.00, on Contract No. P00-2069-C1A, with John Maliszewski, d/b/a, All Star Construction, for Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam.
Funding is available in Account No. 2440-8963.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $6,254.00.

3. Report of Messrs. Faucher and Thurlow and Mrs. O'Brien, October 6, requesting approval to amend Contract No. P00-2067-M1A, with McNulty Landscaping, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation, as follows -
1. Add Paul Revere Landing Park to the sites maintained under this Contract.
2. Revisions in Quantities –

Item No. 000-003 - Irrigation Maintenance	- $ 200.00
Item No. 000-005 - Planting Bed Maintenance	- $9,300.00
Total	- $9,500.00

(Funding is available from the Parks Trust Fund – Account No. 2448-0052, by virtue of the annual contribution from the Boston Duck Tours).
The Commission V O T E D: to amend Contract No. P00-2067-M1A, by adding Paul Revere Landing Park to the sites maintained under this Contract.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $9,500.00.

1. Report of Messrs. Faucher, Brooks and Abounaja, October 4, requesting Commission approval to amend its vote of March 9, 2000, by increasing the value of Contract No. P00-2063-D1A, for Industrial Hygiene Services for Various MDC Facilities, from $16,500.00 to $27,000.00.
The additional funding in the amount of $10,500.00 is necessary to cover cost of Asbestos Abatement supervision and air monitoring at the MDC Peddocks Island Church.
Funding is available in Account No. 2441-9952.
The Commission V O T E D: to amend its vote of March 9, 2000, by increasing the value of Contract No. P00-2063-D1A, for Industrial Hygiene Services for Various MDC Facilities, from $16,500.00 to $27,000.00, as requested by Messrs. Faucher, Brooks and Abounaja in their report of October 4, 2000.

Action was taken upon the following matter relating to the Division of Watershed Management:

2. Report of Messrs. McGinn and Vignaly, September 25, requesting approval and execution of a Joint Funding Agreement (MDC Contract No. WM01-027-S1A) with the U. S. Department of Interior, Geological Survey (USGS), for Stream Gauging and Well Monitoring, for the period from October 1, 2000 to September 30, 2001.
MDC share is $60,984.00.
Funding is available in Account No. 2420-1400 sub TT.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement (MDC Contract No. WM01-027-S1A), dated October 12, 2000, with the U. S. Department of Interior, Geological Survey (USGS), which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, October 5, requesting acceptance of a Walkway Path Easement – 140 Kendrick Street, adjacent to MDC's Cutler Park in Needham.
Mrs. O'Brien further requests authorization for Commissioner Balfour to execute the Easement on behalf of the Commission.
The Commission V O T E D: to accept a Walkway Path Easement – 140 Kendrick Street, adjacent to MDC's Cutler Park in Needham, as requested by Mrs. O'Brien in her report of October 5, 2000.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Easement on behalf of the Commission.

Action was taken upon the following Various Matter:

4. Report of Mr. Jewett, October 10, requesting approval of the selection of Leggette, Brashears & Graham, Inc., to perform the services of Contract No. P00-2082-S1A, for Comprehensive Water Supply Study for the Blue Hills Ski Area, Canton, MA.
Mr. Jewett further requests authorization to prepare the Contract for Commission execution.
Compensation – not-to-exceed $20,000.00.
Time for Performance – estimated at 90 days.
Account No. 2440-9843.

The Commission V O T E D: to approve the selection of Leggette, Brashears & Graham, Inc., to perform the services of Contract No. P00-2082-S1A, for Comprehensive Water Supply Study for the Blue Hills Ski Area, Canton, MA, as requested by Mr. Jewett in his report of October 10, 2000.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for Commission execution.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Adjourned at 9:50 a.m., to meet on Thursday, October 19, 2000, at 9:00 a.m.

William J. [illegible]
Secretary

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Record of the Three Thousand Nine Hundred and Fifty Sixth (3956th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 19, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 5, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

Meeting of
11.09.00 Commission
OTED to amend
its vote by
ubstituting Project
No P80-0544-D3A
for Project No
P80-0544-D4D

1. Report of Mr. Faucher, October 12, recommending approval of Amendment No. 3, for an extension of time from November 30, 2000 to November 30, 2003, on Contract No. P80-0844-D4D, with The Maguire Group, Inc., for Beaver Brook Flood Mitigation Project – Reach 1, due to the need to provide for completion of design and construction phase services during construction phase of the project.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Carrigan, October 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit consultant services for Project No. P01-2102-D1A, for Installation of Multi-Use Pathways on the Westerly and also Various Other Sections of the Shoreline at Spot Pond, Medford/Stoneham.
Estimated Cost for Design Services - $125,000.00.
Time of Performance for Design Services – twelve months.
Account No. 2440-0501.
The Commission V O T E D: Held Over.

3. Report of Messrs. Faucher and McCalla, October 11, recommending approval of a revision in quantities on Item No. 025-010 – Traffic Control Services – at an increase of $50,000.00, on Contract No. P00-2030-M1A, with Coviello Electric & General Contracting Co., Inc., for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 004-010 and 005-010 – mercury vapor lamps, 007-010 and 008-010 - high pressure sodium lamps, 013-010 – trench excavation and backfill, 015-010 - mercury fixtures, 018-010 – hourly rate for licensed electrician, 019-010 – hourly rate for electrician helper, 020-010 – hourly rate for vehicle and 021-010 - miscellaneous labor).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and DiPietro, October 12, submitting for approval and execution Joint Funding Agreement with the United States Department of the Interior, Geological Survey, Contract No. P88-1530-M9A, for Gaging Stations within the Charles and Mystic River Watersheds.
Time for Performance – October 1, 2000 to September 30, 2001.
MDC Share - $33,244.00 for Federal Fiscal Year 2001.

Funding from Account No. 2440-0010 TT for FY01 – Funds for July 1, 2001 to September 30, 2001 are contingent upon budget appropriation.
The Commission V O T E D: Approved.
The Secretary then submitted for signature the Joint Funding Agreement with the United States Department of the Interior, Geological Survey, Contract No. P88-1530-M9A, dated October 19, 2000, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Division of Watershed Management:

1. Report of Messrs. McGinn and Kane, October 11, requesting approval of an extension of time from October 10, 2000 to December 30, 2000 on Contract No. WM00-002-C1A, with Green Environmental, Inc., for Upgrading the Fuel Dispensing
Facilities in Clinton, Southborough and West Boylston.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 10, 2000 to December 30, 2000 on Contract No.WM00-002-C1A, as requested by Messrs. McGinn and Kane in their report of October 11, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Adjourned at 9:50 a.m., to meet on Thursday, October 26, 2000, at 9:00 a.m.

William F.
Secretary

Record of the Three Thousand Nine Hundred and Fifty Seventh (3957th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 26, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 12, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Carrigan, October 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit consultant services for Project No. P01-2102-D1A, for Installation of Multi-Use Pathways on the Westerly and also Various Other Sections of the Shoreline at Spot Pond, Medford/Stoneham.
Estimated Cost for Design Services - $120,000.00.
Time of Performance for Design Services – twelve months.
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit consultant services for Project No. P01-2102-D1A, for Installation of Multi-Use Pathways on the Westerly and also Various Other Sections of the Shoreline at Spot Pond, Medford/Stoneham.

2. Report of Messrs. Faucher, Brooks and Martinez, October 16, on bids for Demolition of Abandoned Structures at the Old Canton Airport, Neponset Street, Canton, MA, Contract No. P01-2098-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of McConnell Enterprises, Inc., of $19,500.00).
The Commission V O T E D: to accept the lowest bid received, that of McConnell Enterprises, Inc., of $19,500.00.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

3. Report of Messrs. Faucher, Carrigan and Machado, October 12, on bids for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan Area, Contract No. P00-2085-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of D & R General Contracting, Inc., of $2,667,285.22).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting, Inc., of $2,667,285.22.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Vignaly, October 10, recommending that work be accepted as completed as of September 30, 2000, on Contract No. WM00-027-S1A, with the U.S. Department of the Interior, Geological Survey, for Stream Gaging and Well Monitoring.

(Basis of Award - $58,437.00)
(Amount to Date - $58,437.00)
(Contract Performance Rating – 8 with 10 being excellent)
(EEO Compliance – N/A)
The Commission VOTED: that the work of the U.S. Department of the Interior, Geological Survey, be and hereby is accepted as completed as of September 30, 2000.

Adjourned at 9:30 a.m., to meet on Thursday November 2, 2000, at 9:00 a.m.

William T.
Secretary

Record of the Three Thousand Nine Hundred and Fifty Eighth (3958th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 2, 2000.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Elkort, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Elkort and Associate Commissioners Rollins and Sheppard.

Secretary Chisholm pointed out that this a precedent setting meeting in that it is the first time in Commission history that a lady has chaired a Commission Meeting.

The Records of the Commission Meeting held on October 19, 2000 were read and approved.

Associate Commissioner Elkort, who was acting as Commissioner at today's Meeting, stated that she would ordinarily abstain from voting on an agenda item, the subject of which was located in the Town of Canton, but since her vote was required and the urgency of the three items concerning Canton on today's agenda, she was compelled to vote or there would be a delay of another week before the matters would be taken up again.

The Secretary then submitted for signature the following paper which was signed by the Acting Commissioner and two Associate Commissioners:

1. Contract No. P01-2098-C1A, dated November 2, 2000, with McConnell Enterprises, Inc., for Demolition of Abandoned Structures at the Old Canton Airport, Neponset Street, Canton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Misslin, Brooks and Balicki, October 27, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2104-C1A, for Tidal Gate Repairs, Black Creek/Greenberg Bridge, Quincy.
Estimated Cost - $225,000.00.
Time for Performance – approximately six months.
Account No. 2440-0501.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P00-2104-C1A, for Tidal Gate Repairs, Black Creek/Greenberg Bridge, Quincy.

3. Report of Messrs. Faucher, Carrigan and Machado, October 27, on bids for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan Area, Contract No. P00-2086-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of D & R General Contracting, Inc., of $1,158,713.22).

The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting, Inc., of $1,158,713.22.

1. Report of Messrs. Faucher and Thurlow, October 17, on bids for 2000 & 2001 Parkway Landscape Improvements, Contract No. P92-1628-C9A.
(Messrs. Faucher and Thurlow recommend acceptance of the lowest bid received, that of Northern Tree Service, Inc., Northern Construction Service, Inc., of $368,940.00).
Messrs. Faucher and Thurlow further recommend that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of Northern Tree Service, Inc., Northern Construction Service, Inc., of $368,940.00.
The Secretary then submitted for signature Contract No. P92-1628-C9A, dated November 2, 2000, with Northern Tree Service, Inc., Northern Construction Service, Inc., which was signed by the Acting Commissioner and two Associate Commissioners.

2. Report of Messrs. Faucher and McCalla, October 26, recommending approval of revisions in quantities on Contract No. P00-2030-M1A, with Coviello Electric & General Contracting Co., Inc., for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations, as follows –

Item No. 018-010 Hourly Rate for Licensed Electrician	**$ 2,632.00**
Item No. 019-010 Hourly Rate for Licensed Electrician Helper for Miscellaneous Repairs	**$ 1,680.00**
Item No. 020-010 Hourly Rate for Vehicle for Miscellaneous Repairs	**$ 1,008.00**
Item No. 024-010 Material, Components and Parts	**$ 5,715.00**
	Total - $11,035.00

Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Carrigan and Machado, October 25, recommending approval of a revision in quantities on Item No. 045-010 – Treated Wood Guard Rail and Posts – at a cost of $1,307.25, on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Parks System.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 011-010 – Single Leaf Light Weight Closure Gates).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Lenhardt, October 3, requesting approval of Assignment No. 6 – for structural steel repairs to the Beades Drawbridge - (Contract No. P99-1989-C1F) – at a cost of $2,857.00, on Contract No. P99-1989-C1A, for Emergency Standby for Bridge Repairs – the work was performed by SPS New England.
Funding from Account No. 2490-0012.

The Commission V O T E D: Approved as requested by Messrs. Faucher and Lenhardt in their report of October 3, 2000.

1. Report of Messrs. Faucher and Lenhardt, October 24, requesting approval of Assignment No. 7 – for structural steel repairs to the Beades Drawbridge – (Contract No. P99-1989-C1G) – at a cost of $2,870.48, on Contract No. P99-1989-C1A, for Emergency Standby for Bridge Repairs – the work was performed by SPS New England.
Funding from Account No. 2490-0012.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Lenhardt in their report of October 24, 2000.

2. Report of Messrs. Faucher and Lenhardt, September 26, requesting approval of the following on Contract No. PL97-044-C1A, with WES Construction Corporation, for Pope John Paul II Park, Phase I, Neponset River Reservation –

Extra Work Claims

No. 1 – Extension of MHD Drain Line	$ 8,586.00
No. 2 – Relocation of MHD Power Line	$ 1,975.00
No. 3 – Relocation of MHD Fence	$ 1,953.00
No. 5 – Cutting Buried Cement Concrete Slab	$ 6,100.00
No. 6 – Relocation of MHD – HOV Cable	$ 6,647.59
No. 7 – Rebuild Drain Manhole in Entrance Way	$ 1,075.00
Total -	$26,336.59

Alteration

(A revision to Alteration No. 2 – "Credit to the Commission" to increase the value from $270,800.00 to $409,050.00).
Additional DEP approved fill has been brought into Hallet Street site. The previous approved unit price credit of $50.00 per truck load has yielded an additional credit to the Commission of $138,250.00.
(All at no increase in Contract cost).
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of $8,586.00.
The Commission further V O T E D: to approve Extra Work Claim No. 2, in the amount of $1,975.00.
The Commission further V O T E D: to approve Extra Work Claim No. 3, in the amount of $1,953.00.
The Commission further V O T E D: to approve Extra Work Claim No. 5, in the amount of $6,100.00.
The Commission further V O T E D: to approve Extra Work Claim No. 6, in the amount of $6,647.59.
The Commission further V O T E D: to approve Extra Work Claim No. 7, in the amount of $1,075.00.
The Commission further V O T E D: to approve a revision to Alteration No. 2 – 'Credit to the Commission' which increases the value from $270,800.00 to 409,050.00, as requested by Messrs. Faucher and Lenhardt in their report of September 26, 2000.
The Commission further V O T E D: to approve the expenditure of $26,336.59 from the Credit.

1. Report of Messrs. Faucher, Misslin, Broderick and Haider, October 30, requesting authorization to purchase 61 Cable Grip Rods for the Blue Hill Ski Chairs through the solicitation of bid proposals, under Contract No. P01-2103-X1A.
Estimated Cost - $20,000.00.
Account No. 2440-9843.
The Commission V O T E D: authorization to purchase 61 Cable Grip Rods for the Blue Hill Ski Chairs through the solicitation of bid proposals, under Contract No. P01-2103-X1A.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, October 25, requesting approval of Amendment No. 6, which increases the upset limit from $107,850.00 to $145,450.00, on Contract No. WM94-003-D1A, with Lichtenstein Consulting Engineers for Remedial Design for Public Safety Considerations Beaman Street Bridge, West Boylston.
Funding from Account No. 2420-7881.
The Commission V O T E D: Approved.

3. Report of Mr. Pula and Ms. McGrath, October 24, recommending approval of an Amendment for an extension of time from October 31, 2000 to December 31, 2000, on Contract No WM98-093-X1R, for Wachusett Watershed Technical Assistance Programs, Town of Sterling, Wachusett Regional Household Hazardous Products Committee, due to need to provide for completion of public education and awareness programs.
(At no increase in Contract cost).
The Commission V O T E D: Approved

Action was taken upon the following matter relating to the Recreational Facilities and Program Division:

4. Report of Mr. Doak, October 26, submitting for renewal ice skating rink concession permits for the 2000 thru 2005 ice skating season with the provision that each youth organization provide updated copies of the following:

Only those non-profit youth hockey groups or organizations, which have their Articles of Organization (and addendum if applicable) registered with the Secretary of State's Office under the provisions of Chapter 180 of the Massachusetts General Laws, will be eligible to renew as a non-profit group. In addition a list of names, addresses and titles of current officers of the group along with the current copies of Certificates of Insurance, price list and menu shall be submitted.

LOCATION	**CONCESSIONAIRE**	**PERMIT FEE**
Anthony A. LoConte Rink Veterans Memorial Parkway Medford	Medford Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.

LOCATION (CON.-)	CONCESSIONAIRE	PERMIT FEE
Paul W. Cronin Rink Revere Beach Parkway Revere	Revere Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Francis L. Murphy Rink William J. Day Boulevard South Boston	South Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Allied Veterans Rink Elm Street Everett	Everett Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Alexander S. Bajko Rink Turtle Pond Parkway Hyde Park	Hyde Park Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Robert M. Devine Rink Morrissey Boulevard Dorchester	Dorchester Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Emmons-Horrigan-O'Neil Rink Rutherford Avenue Charlestown	Charlestown Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Rev. Romano Simoni Rink Gore Street Cambridge	Cambridge Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Walter D. Bryan Rink VFW Parkway West Roxbury	ParkwayYouth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Reilly Memorial Rink Cleveland Circle Brighton	All-Bright Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Connery Memorial Rink Shepard Street Lynn	Lynn Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Flynn Memorial Rink Woodland Road Medford	Tri City Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Porrazzo Memorial Rink Constitution Beach East Boston	East Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Connell Memorial Rink Broad Street Weymouth	Weymouth Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.

LOCATION (CON.-)	**CONCESSIONAIRE**	**PERMIT FEE**
Veterans Memorial Rink Somerville Avenue Somerville	Somerville Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Veterans Memorial Rink Totten Pond Road Waltham	Waltham Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Max Ulin Rink Unquity Road Milton	Milton Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Shea Memorial Rink Willard Street Quincy	Commonwealth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Daly Memorial Rink Nonantum Road Brighton	North End Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.

The Commission V O T E D: Approved as submitted by Mr. Doak in his report of October 26, 2000.

Action was taken upon the following Various Matter:

1. Report of Mrs. Overton Bussell, October 31 requesting permission to enter into a Contract for $130,000.00, with the Town of Winthrop, for clean-up and restoration of Donovan's Beach as directed by the Legislature in the FY2001 budget.
It is further requested that Commissioner Balfour be authorized to execute the Contract on behalf of the Commission.
Funding – Chapter 159 – line Item 2440-0010.
The Commission V O T E D: Approval to enter into a Contract for $130,000.00, with the Town of Winthrop, for clean-up and restoration of Donovan's Beach as directed by the Legislature in the FY2001 budget.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

Adjourned at 9:22 a.m., to meet on Thursday, November 9, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Fifty Ninth (3959th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 9, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 26, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, October 25, recommending the following on Contract No. P85-1341-C2A, with B.S.A. Painting Company, Inc., for Repairs to Railings, Lynn Shore Drive, Lynn –
(a) That work be accepted as completed as of October 12, 2000.
(b) That Estimate No. 2 (Final), in the amount of $20,231.20, be approved for payment.
(c) That reserve, in the amount of $5,062.05, be approved for payment.
(Basis of Award - $105,325.00)
(Amount to Date - $101,241.00)
(Contract Performance Rating – 4.00)
(EEO Compliance – 4.17)
The Commission V O T E D: that the work of B.S.A. Painting Company, Inc., Contractor under Contract No. P85-1341-C2A, be and hereby is accepted as completed as of October 12, 2000.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $20,231.20, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,062.05, for payment.

2. Report of Messrs. Faucher and Lenhardt, November 1, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2096-D1A, for Mystic Valley Parkway Bridge Design.
Estimated Cost - $165,000.00.
Time for Performance – three years for design and construction.
Account No. 2440-9990.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2096-D1A, for Mystic Valley Parkway Bridge Design

3. Report of Messrs. Faucher and Lenhardt, August 8, recommending approval of the following on Contract No. P84-1276-C1A, with SPS New England, Inc., for Repairs to Cambridge Viaduct, Cambridge –
(a) A revision in quantities on Item No. 002-010 – for pile cap repair – at a cost of $68,000.00.

(b) Alteration No. 1, a credit in the amount of $22,400.00 – for substitution of 5000 PSI cement concrete for the specified polymer modified concrete.
(Funding in the amount of $45,600.00 is available in Account No. 2490-8881).
The Commission V O T E D: to approve A revision in quantities on Item No. 002-010, at a cost of $68,000.00.
The Commission further V O T E D: to approve Alteration No. 1, a credit to the Commission, in the amount of $22,400.00.

1. Report of Messrs. Faucher and Thurlow, October 31, recommending approval of Extra Work Claim No. 1, for the installation of 4 flagpoles, dedication stone and cobble stone walk area – at a cost not-to-exceed $28,889.00, on Contract No. P00-2054-C1A, with James A. Gross, Inc., for Construction of Zina Greenwood Playground, Stoneham.
Account No. 2440-0501.
The Commission further V O T E D: to approve Extra Work Claim No. 1, at a cost not-to-exceed $28,889.00.

2. Report of Messrs. Faucher and Thurlow, November 2, requesting approval to enter into an Interdepartmental Service Agreement with the Department of Environmental Management to breed the natural predators of the Hemlock Wooly Adelgid and to introduce them into Hemlock Gorge Reservation and other appropriate sites, as directed by the Legislature in Chapter 159 of the Acts of 2000, Section 2, line Item 2440-0010.
Estimated Cost - $60,000.00.
Time for Performance – seven months.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Thurlow in their report of November 2, 2000.

3. Report of Messrs. Faucher and Soroka, November 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for proposals for engineering and design services for Project No. P93-1698-D1A, for Rehabilitation of Nahant Beach Reservation.
Cost for Engineering and Design Services - $900,000.00.
Time for Performance – Eighteen months.
Account Nos. 2440-9990 and 2440-7991.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for proposals for engineering and design services for Project No. P93-1698-D1A, for Rehabilitation of Nahant Beach Reservation.

4. Report of Mr. Faucher, October 27, recommending that the Commission amend the vote of October 19, 2000 for Beaver Brook Flood Mitigation Project, Reach 1, by substituting Project No. P80-0844-D3D for Project No. P80-0844-D4D (a typographical error).
The Commission V O T E D: to amend the vote of October 19, 2000 for Beaver Brook Flood Mitigation Project, Reach 1, by substituting Project No. P80-0844-D3D for Project No. P80-0844-D4D.

1. Report of Messrs. Faucher and Thurlow, October 26, recommending approval of a revision in quantities on Item No. 000-007 – unclassified excavation – at a cost of $35,000.00 and a reduction in the unit price to $375.00 per cubic yard on Contract No. P00-2054-C1A, with James Gross, Inc., for Construction of Playground and Exercise Stations.
Account No. 2440-0501.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Thurlow in their report of October 26, 2000.

2. Report of Messrs. Faucher and Lenhardt, October 27, recommending approval of extra work orders on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase 1, Neponset River Reservation Boston, as follows –
Extra Work Order No. 4 – for installing a stone drip-edge along the maintenance building, installing a planted island with granite curbing on Neponset Avenue, installing and widening the sidewalks (including handicap ramps) along Neponset Avenue, installing a 42' baffle gate and double leaf chain link gate, installing wood guard rail along Neponset Avenue, relocating the Engineer's Office to the Hallet Street side and raising two MHD control boxes – at a cost of $48,850.00.
There are sufficient funds in Alteration No. 2 to cover the $48,850.00 cost for Extra Work Order No. 4.
Messrs. Faucher and Lenhardt further request authorization to expend funds from the credit in the amount of $48,850.00.
Extra Work Order No. 5 – for the installation of street lights and parking lot lights – at a cost of $110,780.00.
Funds in the amount of $110,780.00 for Extra Work Order No. 5 are available in Account No. 2420-1420.
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $48,850.00.
The Commission further V O T E D: authorization to expend funds from the credit in the amount of $48,850.00.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $110,780.00.

3. Report of Messrs. Faucher and Lenhardt, November 6, on bids for Rehabilitation of Sweetser Bridges, Nos. 20 and 25 – Everett, Contract No. P96-1819-C1A.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest corrected bid, that of Boston Building & Bridge Corp., of $2,471,409.50).
The Commission V O T E D: to accept the lowest corrected bid, that of Boston Building & Bridge Corp., of $2,471,409.50.

4. Report of Messrs. Faucher, Brooks and Haider, November 7, recommending approval of Extra Work Order No. 2 – for replacement of a forced hot air furnace at the Mary Jeanette Murray Bathhouse in Hull – at a not-to-exceed cost of $22,243.25, performed on a time and material basis on Contract No. P99-2005-M1A, with Patrick J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at Various MDC Facilities.
Funding from Account No. 2440-0010.

The Commission V O T E D: to approve Extra Work Order No. 2, at a not-to-exceed cost of $22,243.25, performed on a time and material basis, as recommended by Messrs. Faucher, Brooks and Haider in their report of November 7, 2000.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, October 23, requesting approval of an Amendment to the Contract with Larchmont Engineering and Irrigation Co., Inc., for Irrigation Pumps at Ponkapoag Golf Course, which increases the cost of the project from $28,495.00 to $31,919.40 - $1,150.00 for electrical changes to meet safety codes and $2,304.00 for additional screening and flotation device to prevent clogging of the unit.
Account No. 2440-4420.
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

2. Report of Mr. Doak, October 30, requesting authorization to issue a Request For Proposals for the purchase and installation of one 50HP and 460V irrigation pump at the Leo Martin Golf Course, Weston.
Estimated Cost - $20,000.00.
Account No. 2440-4421.
The Commission V O T E D: authorization to issue a Request For Proposals for the purchase and installation of one 50HP and 460V irrigation pump at the Leo Martin Golf Course, Weston, as requested by Mr. Doak in his report of October 30, 2000.

Action was taken upon the following Various Matter:

3. Report of Mr. Jewett, November 3, on behalf of a Proposal Selection Committee requesting approval of the selection of the Institute for Environmental Education and further to authorize a contract to be prepared for execution for Project No. CS-0701-X1A, for Environmental and Health Safety Training Services.
Compensation – not-to-exceed $20,000.00 per year.
Time for Performance – three years with two Commission options to renew for one year each option.
Account No. 2440-0010.
The Commission V O T E D: to approve the selection of the Institute for Environmental Education for Project No. CS-0701-X1A, for Environmental and Health Safety Training Services.
The Commission further V O T E D: to authorize a contract be prepared for execution for Project No. CS-0701-X1A, as requested by Mr. Jewett in his report of November 3, 2000.

Adjourned at 9:35 a.m., to meet on Thursday, November 16, 2000, at 9:00 a.m.

William J.
Secretary

Record of the Three Thousand Nine Hundred and Sixtieth (3960th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 16, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Rollins and Sheppard.

The Records of the Commission Meeting held on November 2, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Carrigan and Machado, November 7, on bids for Remedial Joint Repairs and Resurfacing of the Outbound Bridge Deck and Ramps on Bowker Overpass, Contract No. P00-2088-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of N.E.L. Corporation, of $260,773.00).
The Commission V O T E D: to accept the lowest bid received, that of N.E.L. Corporation, of $260,773.00.

2. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, November 7, recommending approval of an extension of time from January 2, 2001 to July 31, 2001, on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge, Cambridge. (At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 2, 2001 to July 31, 2001, as recommended by Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, in their report of November 7, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Carrigan, November 2, on bids for Replacement of Concrete Median Barrier, Nahant Beach Parkway, Nahant, Contract No. P01-2095-C1A.
(Messrs. Faucher and Carrigan recommend acceptance of the lowest bid received, that of SPS New England Inc., in the amount of $452,170.00.
They further request approval for a change in the original funding source from Account No. 2490-0017 to 2440-9990).
The Commission V O T E D: to accept of the lowest bid received, that of SPS New England Inc., in the amount of $452,170.00.
The Commission further V O T E D: to approve a change in the original funding source from Account No. 2490-0017 to 2440-9990, as requested by Messrs. Faucher and Carrigan in their report of November 2, 2000.

4. Report of Messrs. Faucher and Lenhardt, November 13, recommending approval and execution of Amendment No. 5 to Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, which extends the time of performance from November 30, 2000 to July 31,2001.

At no increase in contract cost.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 5, dated November 16, 2000, to Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher and Haider, October 23, recommending the following on Contract No. P99-2004-M2A, with R. Zoppo Corporation, for Maintenance and Service of Hydraulic Systems at Various Flood Control/Navigational Sites –
(a) That work be accepted as completed as of September 15, 2000.
(b) That Estimate No. 10 (Final), in the amount of $5,483.43, be approved payment.
(c) That reserve, in the amount of $375.28, be approved for payment.
(Basis of Award - $72,905.00)
(Total to Date - $78,573.35)
(Contract Administration Rating – 4.00 - on a scale of 1 to 5 with 5 being excellent)
(EEO Compliance – 2.80)
The Commission V O T E D: that the work of R. Zoppo Corporation, Contractor under Contract No. P99-2004-M2A, be and hereby is accepted as completed as of September 15, 2000.
The Commission further V O T E D: to approve Estimate No. 10 (Final), in the amount of $5,483.43, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $375.28, for payment.

2. Report of Mr. Faucher and Mrs. Graves-Jones, November 8, recommending approval of a revision in quantities on Item No. 003-010 – 4 Inch Reflectorized Line (Thermoplastic) – at a cost of $61,077.12, on Contract No. P00-2080-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-010 – 6 Inch Reflectorized Line (Paint) and 005-010 – Reflectorized Line (Thermoplastic).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Brooks and Ms. Pfetsch and Ms. Farina, November 9, requesting approval of an extension of time from November 30, 2000 to November 30, 2002, on Contract No. P97-1905-D1A, with Vollmer Associates LLP, for Rehabilitation of the John F. Thompson Center, at no increase in Contract cost.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

4. Report of Mrs. Overton Bussell, November 10, on behalf of a Selection Committee, requesting award of a permit for rental of canvas beach chairs and umbrellas at Revere Beach and Nahant Beach to Shawn H. O'Day, for the period expiring after the end of the 2005 summer season, with compensation to the MDC 5% of all gross revenues for each year of the five year permit.

The Commission V O T E D: to award a permit for rental of canvas beach chairs and umbrellas at Revere Beach and Nahant Beach to Shawn H. O'Day, for the period expiring after the end of the 2005 summer season, with compensation to the MDC 5% of all gross revenues for each year of the five year permit.

1. Report of Mrs. Overton Bussell, November 10, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, a contract with ENSR, for the update and MEPA filing of the Ponkapoag Resource Management Plan.
Cost – not-to-exceed $8,750.00.
Estimated Time for Performance – six months.
Account No. 2440-7991.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, November 10, submitting for approval expenditure of $260,000.00 in Open Order Contract No. GC01-2001, for Appraisal, Title, Engineering and Related Services for Park Land Acquisition FY/01 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Account Nos. 2440-8886 and 2420-1420, under Section 2 of Chapter 15 of the Acts of 1996 (Open Space Bond) and Section 2E of Chapter 236 of the Acts of 2000.
The Commission V O T E D: to approve an expenditure of $260,000.00 in Open Order Contract No. GC01-2001, for Appraisal, Title, Engineering and Related Services for Park Land Acquisition FY/01 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties

Adjourned at 9:35 a.m., to meet on Thursday, November 30, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Sixty First (3961st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, November 30, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on November 9, 2000 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated November 30, 2000, to Contract-Agreement No. P97-1905-D1A, with Vollmer Associates, LLP, for Rehabilitation of the John F. Thompson Center

2. Contract No. P00-2088-C1A, dated November 30, 2000, with N.E.L. Corporation, for Remedial Joint Repairs and Resurfacing of the Outbound Bridge Deck and Pumps on Bowker Overpass.

3. Contract No. P00-2085-C1A, dated November 30, 2000, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan Area.

4. Contract No. P01-2095-C1A, dated November 30, 2000, with SPS New England, Inc., for Replacement of Concrete Median Barrier, Nahant Beach Parkway, Nahant.

5. Contract No. P00-2086-C1A, dated November 30, 2000, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan Area.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher, Brooks, Misslin and Balicki, November 21, requesting that the Commission reject the only bid received, that of General Air Conditioning & Heating, Inc, in the sum of $234,040.00, for Contract No. P99-2008-C1A, Replacement of DHW and Heating, MDC Headquarters, as the bid was too high for the work involved.
Messrs. Faucher, Brooks, Misslin and Balicki further request authorization to readvertise Project No. P99-2008-C2A, with a value of $170,000.00 (The additional $50,000.00 is contained in Account No. 2440-8885).
The Commission V O T E D: to reject the only bid received, that of General Air Conditioning & Heating, Inc, in the sum of $234,040.00, for Contract No. P99-2008-C1A, Replacement of DHW and Heating, MDC Headquarters, as the bid was too high for the work involved.
The Commission further V O T E D: to authorization to readvertise Project No. P99-2008-C2A, with a value of $170,000.00, as requested by Messrs. Faucher, Brooks, Misslin and Balicki in their report of November 21, 2000.

1. Report of Messrs. Faucher, Brooks and Martinez, November 20, requesting that the Commission reject the only bid received, that Allied Weatherproofing Co., Inc., in the adjusted bid price of $236,971.50, for Contract No. P00-2053-C3A, Renovations to Service Building at Connors Pool, Waltham, as it was ambiguous and defective.
Messrs. Faucher, Brooks and Martinez further request authorization to readvertise the work as Project No. P00-2053-C4A.
Funding from Account Nos. 2440-0010 and 2440-9800.
The Commission V O T E D: to reject the only bid received, that Allied Weatherproofing Co., Inc., in the adjusted bid price of $236,971.50, for Contract No. P00-2053-C3A, Renovations to Service Building at Connors Pool, Waltham, as it was ambiguous and defective.
The Commission further V O T E D: authorization to readvertise the work as Project No. P00-2053-C4A.

2. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, November 15, recommending approval of Extra Work Order No. 2 – for removal of debris from Land Boulevard mechanical pit, cleaning steel support beams and painting cleaned steel - at a cost of $12,159.46, on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge, Cambridge.
Funding from Account No. 2440-9990.
The Commission V O T E D: to approve Extra Work Order No. 2, at a cost of $12,159.46.

3. Report of Mrs. Overton Bussell and Messrs. Faucher, Jewett and DiRamio, October 31, requesting approval of Amendment No. 1 to Contract No. P95-1807-D2A, with HNTB Corporation, for Dorchester Shores West Link Project: Proposal for Soils and Groundwater, which covers additional design costs associated with completing project plans as well as for bidding and construction services and increases compensation from $171,155.00 to $248,342.00 and further extends time of performance from January 11,2001 to April 15, 2003.
Funding from Account No. 2440-8956.
The Commission V O T E D: Approved.

4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, November 21, recommending approval of the following Extra Work Orders, Alteration, Extra Work Claim and an extension of time from November 30, 2000 to March 30, 2001, on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation –

Extra Work Orders

Extra Work Order No. 26 Water Line Repair (offset by unused quantities in Item No. 022-004 – ¾ “ crushed stone)	**$ 2,472.98**
Extra Work Order No. 27 Gazebo Benches (offset by unused quantities in Item No. 028-001 – 8’ wide boardwalk at Carson Beach)	**$ 5,552.06**
Extra Work Order No. 28 Cut & Cap Water Line (offset by unused quantities in Item No. 022-004 – ¾” crushed stone)	**$ 1,429.42**
Extra Work Order No. 29 Annual Plantings (Funding from Account No.2440-0501)	**$12,000.00**

Extra Work Order No. 30 Sink Hole (offset by unused quantities in Item No. 025-008 – reset cobblestone curb)	**$ 658.01**

Extra Work Claim

Extra Work Claim No. 3 Soils Testing (offset by unused quantities in Item No. 025-001 – bituminous concrete)	**$ 5,550.83**

Alteration

Alteration No. 7 (elimination of site preparation work from a portion of the M Street Beach site)	***Credit to the Commission***	**$ 3,169.41**

The Commission V O T E D: to approve Extra Work Order No. 26, in the amount of $2,472.98.

The Commission further V O T E D: to approve Extra Work Order No. 27, in the amount of $5,552.06.

The Commission further V O T E D: to approve Extra Work Order No. 28, in the amount of $1,429.42.

The Commission further V O T E D: to approve Extra Work Order No. 29, in the amount of $12,000.00.

The Commission further V O T E D: to approve Extra Work Order No. 30, in the amount of $658.01.

The Commission further V O T E D: to approve Extra Work Claim No. 3, in the amount of $5,550.83.

The Commission further V O T E D: to approve Alteration No. 7, in the amount of $3,169.41.

The Commission further V O T E D: to approve an extension of time from November 30, 2000 to March 30, 2001, as recommended by Mrs.Overton Bussell and Messrs. Faucher and Orfant in their report of November 21, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, November 15, requesting approval of the following Extra Work Orders and Alteration No. 1 to Extra Work Order No. 2, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Program -

Extra Work Orders

Extra Work Order No. 5 Fire Gate Relocate (offset by credit established by Alteration No. 1)	**$ 1,207.18**
Extra Work Order No. 6 Stair removal at Savin Hill and Replacement with new concrete (offset by credit established by Alteration No. 1)	**$53,493.65**
Extra Work Order No. 7 Excavation of unsuitable Materials at End of	**$ 7,330.62**

Seawall and Replacement with Material with ¾ "
Stone Reinforced with Geotextiles (offset by credit
established by Alteration No. 1)

Alteration

Alteration No. 1 to Extra Work Order No. 2 **$ 8,160.00**
Increase quantity of Class B Rock Excavation
from 40 to 80 Cubic Yards (offset by credit
established by Alteration No. 1).

Pursuant to the Commission's Revised Standard Operating Procedures, Deputy Commissioner Faucher had previously authorized Extra Work Orders No. 5 and 7 and he is now requesting approval by the Commission of this action.

The Commission V O T E D: to approve Extra Work Order No. 5, in the amount of $1,207.18.

The Commission further V O T E D: to approve Extra Work Order No.6, in the amount of $53,493.65.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $7,330.62.

The Commission further V O T E D: to approve Alteration No. 1 to Extra Work Order No. 2, in the amount of $8,160.00.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, November 17, requesting approval of the following Revisions in Quantities and Extra Work Orders on Contract No. P97-1881-C2A, with A.G.M. Marine Contractors, Inc., for Boston Harbor Island Pier Repair Project -

Revisions in Quantities

	From	To
Item No. 02311-4.2.A – Fender Piles	$ 57,600.00	$ 70,200.00
Item No. 02311-4.2.C – Bearing Piles	$105,000.00	$108,000.00
Item No. 06130-4.2.D – Batter Pile Recon.	$ 15,000.00	$ 16,200.00
Item No. 06130-4.2.G - Timber Install-Low	$ 16,500.00	$ 24,929.63

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 02110-4.2.A, 02110-4.2.B, 02311-4.2.B, 05600-4.2.A, 05600-4.2.B, 05600-4.2.C, 06130-4.2.A, 06130-4.2.B, 06130-2.C, 06130-2.E, 06130-2.F, 06130-2.H, 06130-2.I, 06130-2.J, 06130-2.K, 16011-4.2)

Extra Work Order

Extra Work Order No. 1 $ 27,000.00
Installation of 12 Green Heart Fender Piles in Place of 12 of the Fender Piles (02311-42A) in the Area Where Ferry Docks
(offset by the readjusted quantities in other items).

The Commission V O T E D: to approve the Revisions in Quantities, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of November 17, 2000.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $27,000.00.

1. Report of Messrs. Faucher, Brooks and Haider, November 27, recommending approval of Extra Work Orders as follows on Contract No. P00-2061-M1A, with Eagle Elevator Co., for Maintenance of Elevators at Various MDC Facilities within the Metropolitan System -

Extra Work Orders

Extra Work Order No. 1	**$ 935.00**
Repairs to the portable wheel chair lift, Revere Beach Bandstand, Revere	
ExtraWork Order No. 2	**$4,800.00**
Replacement of the safety mechanical edge on the elevator doors with a Portaforty Door Safety System at 20 Somerset Street, Boston	
Extra Work Order No. 3	**$1,340.00**
Decommission the dumbwaiter at the Almy's Building, Brighton	
	Total - $7,075.00

Account No. 2440-0010.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $935.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $4,800.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $1,340.00.

2. Report of Messrs. Faucher, Brooks and Haider, November 27, recommending approval of Extra Work Order No. 3 – for removal and installation of above ground oil tanks at Martin Golf Course and Central Service Garage, Stoneham. The removal of oil tanks at Trailside Museum, Central Service Yard, Charles Gate and bring up to code oil vent lines at Hatch Shell and Lee Pool – at a cost – not-to-exceed - $10,440.00, on Contract No. P99-2005-M1A, with Patrick J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at Various Locations. Funding from Account No. 2440-4994.
The Commission V O T E D: to approve Extra Work Order No. 3, at a cost not to-exceed $10,440.00.

3. Report of Messrs. Faucher and Lenhardt, November 21, recommending approval of a Revision in Quantity on Item No. 002-010 – pile cap repair – at a cost of $105,400.00 and an increase to Alteration No. 1 – a credit - in the amount of $10,850.00, for a net increase of $94,550.00, to Contract No. P84-1276-C1A, with SPS New England, Inc., for Repairs to Cambridge Viaduct, Cambridge.
Funding for $94,550.00 available in Account No. 2490-8881.
The Commission V O T E D: to approve of a Revision in Quantity on Item No. 002-010 – pile cap repair – at a cost of $105,400.00.
The Commission further V O T E D: to approve an increase to Alteration No. 1 – a credit - in the amount of $10,850.00, as recommended by Messrs. Faucher and Lenhardt in their report of November 21, 2000

Action was taken upon the following matters relating to the Division of Watershed Management:

1. Report of Messrs. Pula and Scannell, November 2, requesting award of Contract No. WM95-060-C1A, for Innovative and Alternative On-Site Septic Systems, to the low bidder, R. Bates & Sons, in the amount of $462,700.00, with a revised time of performance of 285 calendar days from Notice to Proceed.
Funding from Account No. 2420-1400.
Messrs. Pula and Scannell further request execution of the Contract by the Commission.
The Commission V O T E D: Held Over.

2. Report of Messrs. McGinn and Baratta, November 21, submitting for approval and execution a sewer use Agreement between the Metropolitan District Commission and Town of West Boylston for Intermunicipal sewer use and provides for the transport of wastewater from the Town of West Boylston to the Upper Blackstone Water Pollution Abatement District Treatment Facility, through the City of Worcester.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated November 30, 2000, between the Metropolitan District Commission and Town of West Boylston, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

3. Report of Messrs. Jewett and Kelter, November 17, submitting for approval and execution a Memorandum of Agreement with the Forest Park Zoological Society, Inc., (Forest Park) of Springfield, which provides for the transfer of $300,000.00 to Forest Park for Improvements to the Zoo.
The Society currently manages and operates the Zoo for the City of Springfield.
(The Legislature in Chapter 159 of the Acts of 2000, directed that funding shall be provided to the Forest Park Children's Zoo).
Funding from Account No. 2443-2002.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Memorandum of Agreement, dated November 30, 2000,with the Forest Park Zoological Society, Inc., (Forest Park) of Springfield, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Messrs. Jewett and Kelter, November 17, submitting for approval and execution a Memorandum of Agreement with the Buttonwood Park Zoological Society, Inc., (Buttonwood) of New Bedford, which provides for the transfer of $300,000.00 to Buttonwood Park, for improvements to the Zoo. The Society currently manages and operates the Zoo for the City of New Bedford.
(The Legislature, in Chapter 159 of the Acts of 2000, directed that funding shall be provided to Buttonwood Park Children's Zoo).
Funding from Account No. 2443-2002).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Memorandum of Agreement, dated November 30, 2000, with the Buttonwood Park Zoological Society, Inc., (Buttonwood) of New Bedford which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mr. Jewett, November 27, on behalf of the Consultant Selection Committee, requesting selection of Wallace Floyd Design Group, for Magazine Beach Site Improvements, Charles River Basin, Cambridge, Contract No. PL00-067-D1A.
Compensation – not-to-exceed - $140,000.00, subject to negotiations and shall be paid on a cost plus fixed fee basis.
Time for Performance – estimated at twenty-one months from Notice to Proceed.
Account No. 2448-0068.
The Commission V O T E D: to approve the selection of Wallace Floyd Design Group, for Magazine Beach Site Improvements, Charles River Basin, Cambridge, Contract No. PL00-067-D1A, as requested by Mr. Jewett in his report of November 27, 2000.

2. Report of Mr. Jewett, November 27, requesting approval of the following four (4) Contract Agreements, for Open Order Contract No. GC01-2001, for Professional Real Estate Appraisal Services – Park Land Acquisition Program FY2001 –

NAME	VALUE	ASSIGNMENTS
Reynolds Company 304 Victory Road Quincy, MA 02171	$20,000.00	5
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	$47,050.00	13 (11 new assignments) (2 appraisal updates)
E.W.H. Anderson Real Estate Consulting, Valuation and Preservation 20 Old Dana Road Petersham, MA 01366	$28,950.00	9 (5 new assignments) (4 appraisal updates)
The Foster Company 100 Erdman Way Leominster, MA 01453	$35,600.00	5

Mr. Jewett further requests that Commissioner Balfour be authorized to execute the Contract-Agreements on behalf of the Commission.
Account Nos. 2420-1420 and 2420-8886.
Completion Date – June 30, 2001.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization for Commissioner Balfour to execute the Contracts on behalf of the Commission.

3. Report of Mrs. Overton Bussell and Mr. Jewett, November 27, requesting approval and execution of a Memorandum of Agreement between the MDC and the Commonwealth Zoological Corporation d/b/a Zoo New England FY2001, which provides for the transfer of

$5,000,000.00 to the Corporation for capital improvements based on the draft Zoo New England 2000 capital plan.
(The Legislature in Chapter 236 of the Acts of 2000, Line Item 2443-2010, directed that funds be transferred to the Commonwealth Zoological Corporation d/b/a Zoo New England).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Memorandum of Agreement, dated November 30, 2000, between the MDC and the Commonwealth Zoological Corporation d/b/a Zoo New England FY2001, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mrs. O'Brien, November 24, recommending approval of an Amendment and Restatement to Contract No.PL97-045-D1A, with the Halvorson Company, for Nashua Street Park Design, New Charles River Basin, which provides funds to complete Artery requirements for Plans, Specifications and Estimates (P. S. and E.) – at a cost of $512,210.57.
Mrs. O'Brien further requests authorization for Commissioner Balfour to execute the Amended and Restated Contract on behalf of the Commission.
The Amended and Restated Contract shall be extended from June 30,2001 through June 30, 2003.
Funding from Account No. 2449-9717.
The Commission V O T E D: to approve an Amendment and Restatement to Contract No.PL97-045-D1A, with the Halvorson Company, for Nashua Street Park Design, New Charles River Basin, as recommended by Mrs. O'Brien in her report of November 24, 2000.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amended and Restated Contract on behalf of the Commission.

2. Report of Mrs. O'Brien, November 24, recommending approval of an Amendment and Restatement to Contract No.PL97-045-D1A, with the Halvorson Company, for Nashua Street Park Design, New Charles River Basin, which provides funds to complete Artery requirements for Plans, Specifications and Estimates (P. S. and E.) – at a cost of $512,210.57.
Mrs. O'Brien further requests authorization for Commissioner Balfour to execute the Amended and Restated Contract on behalf of the Commission.
The Amended and Restated Contract shall be extended from June 30,2001 through June 30, 2002.
Funding from Account No. 2449-9717.
The Commission V O T E D: to approve an Amendment and Restatement to Contract No.PL97-045-D1A, with the Halvorson Company, for Nashua Street Park Design, New Charles River Basin, as recommended by Mrs. O'Brien in her report of November 24, 2000.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amended and Restated Contract on behalf of the Commission.

3. Report of Mrs. Overton Bussell, November 6, requesting authorization for the MDC to enter into an Interdepartmental Service Agreement (ISA) with the Division of Capital Asset Management (DCAM) for the design and construction of a new Savin Hill and Tenean Beach Bathhouses, Dorchester. DCAM has completed the certified studies under a previous ISA.
Mrs. Overton Bussell further requests authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.

Cost - $1,769,428.00 for design, construction and DCAM administrative costs.
Funding from Account No. 2440-8963.
The Commission V O T E D: authorization for the MDC to enter into an Interdepartmental Service Agreement (ISA) with the Division of Capital Asset Management (DCAM) for the design and construction of a new Savin Hill and Tenean Beach Bathhouses, Dorchester, as requested by Mrs.Overton Bussell in her report of November 6, 2000.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on Thursday, December 7, 2000, at 9:00 a.m.

William F.

Secretary

Record of the Three Thousand Nine Hundred and Sixty Second (3962nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 7, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on November 16, 2000, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, November 2, requesting approval of Extra Work Order No. 2 – for modification of the new steel grating to allow for the installation of the grating over the existing draw girders – at a cost of $4,492.23, on Contract No. P00-2046-C1A, with B & E Construction Corporation for Repair of Wood's Memorial Bridge Deck, Everett/Medford.
(Pursuant to the Commission's Revised Standard Operating Procedures, Deputy Commissioner Faucher had previously authorized Extra Work Order No. 2 and he is now requesting approval of the Commission of this action).
Funding from Account No. 2440-9990.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $4,492.23, as requested by Messrs. Faucher and Lenhardt in their report of November 2, 2000.

2. Report of Messrs. Faucher and Lenhardt, November 29, recommending approval of Extra Work Order No. 3 – for Expansion Joint Repair, at a cost of $36,738.00, and an increase in Item No. 3, Replacement of Transition Joint, in the amount of $3,300.00 – for a total of $40,038.00, on Contract No. P00-2046-C1A, with B & E Construction Corporation for Repair of Wood's Memorial Bridge Deck, Everett/Medford.
Funding from Account No. 2440-9990.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $36,738.00.
The Commission further V O T E D: to approve a Revision in Quantity on Item No. 3, in the amount of $3,300.00.

3. Report of Messrs. Faucher and Lenhardt, November 29, requesting approval of Extra Work Order No. 4 – for re-welding of concrete filled grating on the eastbound roadway – at a cost of $1,431.23, on Contract No. P00-2046-C1A, with B & E Construction Corporation for Repair of Wood's Memorial Bridge Deck, Everett/Medford.
Funding from Account No. 2440-9990.
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $1,431.23.

4. Report of Messrs. Faucher and Lenhardt, November 29, recommending approval of an extension of time from December 15, 2000 to May 30, 2001, on Contract No. P00-2046-C1A, with B & E Construction Corporation, for Repair of Wood's Memorial Bridge Deck, Everett/Medford, at no increase in Contract cost.

The Commission V O T E D: to approve an extension of time from December 15, 2000 to May 30, 2001, as recommended by Messrs. Faucher and Lenhardt, in their report of November 29, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Lenhardt, December 1, requesting approval of the following on Contract No. P99-1989-C1H, for Emergency Standby for Bridge Repair, Assignment No. 8 to SPS New England for Structure Repairs to Beades Drawbridge – at a cost of $23,134.29 – (including Police Services) and pursuant to the Commission's Revised Standard Operating Procedures, Deputy Commissioner Faucher had previously authorized Extra Work Order No. 3 – furnishing and installing special steel – at a cost of $20,774.29, and is now requesting approval of the Commission of this action).
Funding from Account No. 2490-0012.
The Commission V O T E D: to approve Assignment No. 8, on Contract No. P99-1989-C1H, to SPS New England for Structure Repairs to Beades Drawbridge – at a cost of $23,134.29 – (including Police Services).
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $20,774,29, as requested by Messrs. Faucher and Lenhardt in their report of December 1, 2000.

2. Report of Mrs. Overton Bussell and Messrs. Faucher and DiRamio, November 28, and pursuant to the Commission's Revised Standard Operating Procedures, Deputy Commissioner Faucher had previously authorized Extra Work Order No. 8 – replacement of two safety straps – at a cost of $197.00 and Extra Work Order No. 9 – furnishing and installing two Mutt-Mutt park dispensers, including two waste receptacles – at a cost of $1,023.00, on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston, total of Extra Work Order Nos. 8 and 9 - $1,220.00, and is now requesting approval of the Commission of this action.
Mrs. Overton Bussell and Messrs. Faucher and DiRamio, further request approval of a revision in quantities on Item No. 002-320 – Loam Borrow – at a cost of $7,500.00.
(At no increase in Contract cost as the Extra Work and Revision will be offset by unused quantities in Item Nos. 002-280 – Gravel Borrow and 008-040 – Resurfacing of Trench in Roadway).
The Commission V O T E D: to approve Extra Work Order No. 8, in the amount of $197.00.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $1,023.00.
The Commission further V O T E D: to approve the Revision in Quantities on Item No. 002-030, in the amount of $7,500.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. Pula and Scannell, November 2, requesting award of Contract No. WM95-060-C1A, for Innovative and Alternative On-Site Septic Systems, to the low bidder, R. Bates & Sons, in the amount of $462,700.00, with a revised time of performance of 285 calendar days from Notice to Proceed.
Funding from Account No. 2420-1400.

Messrs. Pula and Scannell further request execution of the Contract by the Commission. The Commission V O T E D: to award Contract No. WM95-060-C1A, for Innovative and Alternative On-Site Septic Systems, to the low bidder, R. Bates & Sons, in the amount of $462,700.00, with a revised time of performance of 285 calendar days from Notice to Proceed. The Secretary then submitted for signature Contract No. WM95-060-C1A, dated December 7, 2000, with R. Bates & Sons, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. McGinn and Pula, December 1, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the only qualified bid, that of Bosse Logging, of $1,350.00; to purchase approximately 9,013 board feet of timber, 74 cords of fuelwood and 12 tons of pulp, on Timber Lot No. 5166A – Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $5,000.00; to purchase approximately 74,137 board feet of timber, 25 cords of firewood and 165 tons of pulp on Timber Lot No. 4297 --Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $25,000.00; to purchase approximately 119,248 board feet of timber, 133 cords of firewood and 96 tons of pulp on Timber Lot No. 4298.
The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Bros., of $66,043.31; to purchase approximately 418,166 board feet of timber, 851 cords of firewood and 142 tons of pulp on Timber Lot No. 1003 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of $27,501.80; to purchase approximately 304,805 board feet of timber, 262 cords of firewood and 718 tons of pulp on Timber Lot No. 2005 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of $27,773.85; to purchase approximately 173,256 board feet of timber, 73 cords of firewood and 290 tons of pulp on Timber Lot No. 3013 – Quabbin Reservoir Watershed.

Action was taken upon the following Various Matter:

2. Report of Messrs. Kelter and Gray, December 4, requesting approval of a five year Memorandum of Agreement (MOA) between the Commission, EOEA, EOTC and MHD authorizing $50.0 million dollars in construction funding for the Commission's parkway and bridge improvements.
Messrs. Kelter and Gray further request authorization for Commissioner Balfour to execute, on behalf of the Commission, the MOA and associated Interagency Agreements (s) to implement the $50.0 million dollar funding transfer.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, the MOA and associated Interagency Agreements (s) to implement the $50.0 million dollar funding transfer.

Adjourned at 9:45 a.m., to meet on Thursday, December 14, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Sixty Third (3963rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 14, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Rollins and Sheppard.

The Records of the Commission Meeting held on November 30, 2000 were read and approved.

The Secretary submitted for signature the following paper which was signed the Commissioner and three Associate Commissioners:

1. Contract No. P96-1819-C1A, dated December 14, 2000, with Boston Building & Bridge Corp., for Rehabilitation of Sweetser Bridges, Nos. 20 and 25, Everett.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Carrigan and Machado, November 22, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No.P00-2087-C1A, for Installation of Closure Gates, Guard rail and Fences at Various Locations of the Metropolitan District Park System.
Estimated Cost - $1,200,000.00.
Time for Performance – twenty-four months.
Account Nos. 2490-0017 and 2440-7991.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No.P00-2087-C1A, for Installation of Closure Gates, Guard rail and Fences at Various Locations of the Metropolitan District Park System.

3. Report of Messrs. Faucher and Thurlow, November 27, on bids for 2000 & 2001 Arborcultural Improvements, Contract No. P00-2083-C1A.
(Messrs. Faucher and Thurlow recommend accepted of the lowest bid received, that of Northern Tree Service, Inc. – Northern Construction Service, Inc., of $360,045.00).
The Commission is requested to approve the additional funding in the amount of $10,045.00.
The estimated value of the project was $350,000.00.
Additional funds are available in Account No. 2490-8910.
Messrs. Faucher and Thurlow further request execution of the Contract.
The Commission V O T E D: Approved.
The Commission further V O T E D: to accept the lowest bid received, that of Northern Tree Service, Inc. – Northern Construction Service, Inc., of $360,045.00.
The Commission further V O T E D: to approve the additional funding in the amount of $10,045.00, as requested by Messrs. Faucher and Thurlow in their report November 27, 2000.
The Secretary then submitted for signature Contract No. P00-2083-C1A, dated December 14, 2000, with Northern Tree Service, Inc. – Northern Construction Service, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, December 8 recommending approval of a revision in quantities on Item No. 12 – Concrete Deck Patching – at a cost of $25,150.00, on Contract No.P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge, Cambridge.
Funding from Account No. 2440-9990.
The Commission V O T E D: Approved

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Scannell, October 31, recommending the following on Contract No.WM00-030-X1A, with Pennoni Associates, Inc., for Title V Inspection, Sterling Campgrounds –
(a) That work be accepted as completed as of September 30, 2000.
(b) That Invoice No. 154494, in the amount of $1,700.00, be approved for payment.
(Basis of Award - $25,750.00)
Amount to Date - $25,750.00)
(Contract Performance Rating – 8 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Pennoni Associates, Inc., Contractor under Contract No. WM00-030-X1A, be and hereby is accepted as complete as of September 30, 2000.
The Commission further V O T E D: to approve Invoice No. 154494, in the amount of $1,700.00 for payment.

3. Report of Messrs. McGinn and Baratta, October 3, (revised December 8), requesting approval of Alteration No. 1 – for reimbursing the Contractor for costs of utility hook-up for the pump station installed on Worcester Street, West Boylston – at a cost of $13,072.00 (an increase in the Contract upset limit from $6,592,544.50 to $6,605.616.50) on Contract No. WM97-061-C1A [97-4W], with J. A. Polito and Sons, for MDC Sewer Construction – West Boylston, Bunker Hill/Meadowbrook East – Phase II.
Funding from Account No. 2420-7961.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $13,072.00.

Adjourned at 9:30 a.m., to meet on Thursday, December 21, 2000, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Sixty Fourth (3964th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, December 21, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on December 7, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Abounaja, December 7, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2114-S1A, for Ponkapoag Pond Site Monitoring Plan, Canton.
Estimated Cost - $40,000.00.
Time for Performance – two years.
Account No. 2440-4420.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2114-S1A, for Ponkapoag Pond Site Monitoring Plan, Canton.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

2. Report of Messrs. Faucher, Misslin, Brooks and Balicki, December 12, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No.P01-2111-C1A, to Waterblast, Patch, Paint and Caulk Swimming Pools at Various Locations.
Estimated Cost - $270,000.00.
Time for Performance – ninety days.
Account No. 2440-7992.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No.P01-2111-C1A, to Waterblast, Patch, Paint and Caulk Swimming Pools at Various Locations.

3. Report of Messrs. Faucher, Misslin, Brooks and Balicki, December 12, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2112-C1A, for New Swimming Pool Filter Systems, Reilly Pool, Cleveland Circle, Brighton.
Estimated Cost - $240,000.00.
Time for Performance – three months.
Account No. 2440-7992.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2112-C1A, for New Swimming Pool Filter Systems, Reilly Pool, Cleveland Circle, Brighton.

1. Report of Messrs. Faucher, Misslin, Brooks and Martinez, December 12, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P01-2113-C1A, Miscellaneous Structural Repairs at Various Pools.
Estimated Cost - $93,000.00.
Time for Performance – four weeks.
Account No. 2440-7992.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2113-C1A, Miscellaneous Structural Repairs at Various Pools.

2. Report of Messrs. Faucher, Misslin, Lenhardt, Griffin and Miss Peterson, December 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P82-1112-C3A, for Peddock's Island Pier Replacement of Accessibility Floating Ramp, Hull.
Estimated Cost - $472,500.00.
Time for Performance – must be completed by June 30, 2001.
Funding available in Account No. 2440-0031 in the amount of $150,000.00 and Account No. 2440-8889 in the amount of $322,500.00.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P82-1112-C3A, for Peddock's Island Pier Replacement of Accessibility Floating Ramp, Hull.

3. Report of Messrs. Faucher, Misslin, Brooks and Kane, December 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2115-C1A, for Renovation of the Allston – Brighton Wading Pool Bathrooms.
Estimated Cost - $145,000.00.
Time for Performance - two months.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2115-C1A, for Renovation of the Allston – Brighton Wading Pool Bathrooms.

4. Report of Messrs. Faucher, Misslin, Brooks and Balicki, December 11, recommending approval of an extension of time from January 19, 2001 to April 15, 2001, on Contract No. P00-2069-C1A, with All Star, Inc., for Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 19, 2001 to April 15, 2001, as recommended by Messrs. Faucher, Misslin, Brooks and Balicki in their report of December 11, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation

1. Report of Messrs. Faucher, Misslin, Brooks and Martinez, December 11, requesting that the Commission reject the bids of Massey Construction Corp., of $296,631.00 and Roger A. Tremblay Contractors, Inc., of $389,493.00, as they were above the Engineers estimate of $220,000.00, for Contract No. P01-2093-C1A, for New Sanitary Facility, Nahant Beach.
The Commission V O T E D: to reject the bids of Massey Construction Corp., of $296,631.00 and Roger A. Tremblay Contractors, Inc., of $389,493.00, as they were above the Engineers estimate of $220,000.00, for Contract No. P01-2093-C1A, for New Sanitary Facility, Nahant Beach.

2. Report of Messrs. Faucher, Carrigan and Machado, December 14, recommending approval of revisions in quantities, as follows, and an extension of time from February 9, 2001 to May 18, 2001, on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System –

Revisions in Quantities

Item No. 042-010	**$ 165,60**
Painting Metal Guard Rail	
Item No. 055-010	**$2,430.00**
B.V.C. – C.L.F. 4 FT. to 4 FT. 6 Inch High	
Item No. 059-010	**$1,473.05**
B.V.C. – C.L.F. 6 FT. High	
	Total - $4,068.65

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 009-010 —Installation of Single Leaf Closure Gate, 035-010 – Furnish and Install New SS Guard Rail & Posts (Straight) and 084-010 – Bales of Hay for Erosion Control).
The Commission V O T E D: to approve and an extension of time from February 9, 2001 to May 18, 2001, as recommended by Messrs. Faucher, Carrigan and Machado, in their report of December 14, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve the Revisions in Quantities in the amount of $4,068.65.

3. Report of Messrs. Faucher, Brooks and Haider, December 5, requesting approval to retain the services of Congress Alarm Company, to Provide Emergency Service to the Alarm Systems at Various MDC Facilities, Contract No. P01-2106-M1A.
Cost – not-to-exceed $6,000.00.
Time for Performance – twelve months from approval.
Account No. 2440-0010.
The Commission V O T E D: Approved as requested by Messrs. Faucher, Brooks and Haider, in their report of December 5, 2000.

4. Report of Messrs. Faucher and Thurlow, December 8, recommending the following on Contract No. P00-2054-C1A, with James A. Gross, Inc., for Construction of New Playground and Exercise Stations at Spot Pond, Stoneham and Breakheart Reservation, Saugus –

(a) That work be accepted as completed as of November 16, 2000.
(b) That Estimate No. 2 (Final), in the amount of $63,069.55, be approved for payment.
(c) That reserve, in the amount of $9,064.45, be approved for payment.
(Basis of Award - $117,400.00)
(Amount to Date - $181,289.00)
(Contract Performance Rating – 3.50)
(EEO Compliance – 3.40)
The Commission V O T E D: that the work of James A. Gross, Inc., Contractor under Contract No. P00-2054-C1A, be and hereby is accepted as completed as of November 16, 2000.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $63,069.55, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $9,064.45, for payment.

1. Report of Messrs. Faucher, Brooks and Abounaja, December 20, requesting approval of Amendment No. 3 to Contract No. P00-2065-D1A, with GEI Consultants, Inc., for Licensed Site Professional (LSP) for Various MDC Contaminated Sites, as follows –

Amendment No. 3

Task 1– Immediate Response Action
GEI will prepare a health and safety plan.
Task 2 – Phase I – Initial Site Investigation GEI will review site history and site's file at the DEP.
- **Phase 3 – Tier I Permit Application**.
GEI will prepare Tier Classification for submittal to DEP, which will include a Capital Numerical Ranking System (CNRS) score test.
- **Phase 4 – Prepare Plans and Specifications**
GEI will prepare plans and specifications to include segregation plan for the demolition and proper disposal of two structures at the site.
- **Phase 5 – Demolition Oversight**
GEI will oversee and document demolition activity and prepare bill of lading.

GEI has submitted a cost in the total amount of $175,000.00 and to do the above mentioned work from (Task 1 to Task 5) and a cost of $25,000.00 in optional services for unforeseen work at this site that is not included in the above mentioned tasks.
Funds are available in Account No. 2440-7994.
The Commission V O T E D: Approved as requested by Messrs. Faucher, Brooks and Abounaja in their report of December 20, 2000.

2. Report of Messrs. Faucher, Misslin and Brooks, December 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No.P01-2116-M1A, for Service and Repairs to all MDC Swimming Pools and Filtration Systems Within the Metro Parks System.

Estimated Cost - $570,000.00.
(Funds are available in Account No. 2440-0010-NN to cover the cost. Funding for FY2002 and 2003, contingent upon funds being made available in Account No. 2440-0010-NN – through the annual budget appropriation process.
Time for Performance – twenty- four months.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No.P01-2116-M1A, for Service and Repairs to all MDC Swimming Pools and Filtration Systems Within the Metro Parks System.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, December 8, requesting approval of an extension of time from December 31, 2000 to June 30, 2001, on Contract No. P82-022-D1A, with Carr, Lynch and Sandell, Inc., for Paul Revere Landing Park (Design).
(At no increase in Contract cost).
The Commission V O T E D: Approved

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, December 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 54.7733 acres of land owned by Richard T. Higgins and Maureen A. Higgins located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $385,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 54.7733 acres of land owned by Richard T. Higgins and Maureen A. Higgins located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 21, 2000.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the northwesterly side of Princeton Road-Route 62, just westerly of its intersection with Worcester Road-Route 12, flowed by the waters of "Connelly Brook" so-called, and shown upon a survey plan cited below at the conclusion of this description as “Lot 2”, more particularly bounded and described as follows:

Beginning at a point in the northwesterly layout line of Princeton Road-Route 62, at the southeasterly corner, of land, now or formerly, of the Alfred Lewis Realty Trust (see Worcester District Registry of Deeds Book 4617, Page 583;

Thence N. 21° 04’ 01” W., 141.28 feet, by the easterly line of the last named abutter, to a point at the northeasterly corner thereof;

Thence S. 67° 38’ 17” W., 122.56 feet, by the northerly line of the last named abutter, to a drill hole set in a corner of stone walls, at land, now or formerly, of C. Vernon & Victoria P. Gaw, (see W.D.R.D. Book 14341, Page 390) said drill hole marking the northwesterly corner of land, now or formerly of the Alfred Lewis Realty Trust, and the northeasterly corner of land, now or formerly, of C. Vernon & Victoria P. Gaw;

Thence N. 88° 15' 02" W., 179.84 feet, by the stone wall and land, now or formerly, of C.V. & V.P. Gaw, to a point in the wall near an iron pipe found, at land, now or formerly, of Everett W. & Elaine Heller (see W.D.R.D. Book 7596, Page 383);

Thence N. 88° 32' 53" W., 303.04 feet, by the stone wall and lands, now or formerly, of E.W.& E. Heller and, of George M. & Joan E. Willard (see W.D.R.D. Book 6879, Page 98), to a point in the wall near an iron pipe found, at land, now or formerly of William & Linda A. Scott (see W.D.R.D. Book 8212, Page 110);

Thence N. 87° 34' 14" W., 59.39 feet, by the stone wall and crossing "Connelly Brook" so-called, by land, now or formerly, of W. & L.A. Scott, to a drill hole set in the continuation of the wall, at land, now or formerly, of Jeffrey & Sara Hall (see W.D.R.D. Book 7422, Page 206);

Thence N. 81° 57' 12" W., 288.39 feet, by the stone wall, to an iron pin set in a corner of walls;

Thence N. 22° 23' 32" E., 209.37 feet, by the wall, to a point;

Thence N. 21° 55' 59" E., 284.50 feet, by the wall, to a drill hole set at a point therein;

Thence N. 22° 06' 48" E., 383.11 feet, by the wall, to a drill hole set in a corner of walls;

Thence S. 88° 41' 49" W., 356.17 feet, by the wall, to a drill hole set in a corner of walls at land of the Commonwealth of Massachusetts, Department of Public Works,

acquired for the layout and construction of Interstate 190 from Davis Farms Trust, know as the "Fitch Pasture" D.P.W. Parcel 3-10-UR on Layout 6308, the last five courses being by land, now or formerly, of Jeffrey & Sara Hall;

Thence N. 15° 40' 09" E., 425.80 feet, by the stone wall, and land, now or formerly, of the Commonwealth of Massachusetts, D.P.W., to a drill hole set at an angle in the wall;

Thence N. 13° 39’ 17” E., 1,044.66 feet, by land of the Commonwealth of Massachusetts, Department of Public Works, to a field stone bound in a stone wall, at the northernmost corner of the premises herein being described, and at land, now or formerly, of Ronald E. & Laura W. Kidd (see W.D.R.D. Book 5139, Page 599);

Thence S. 79° 02’ 05” E., 543.63 feet, by the stone wall and land, now or formerly, of R.E. & L.W. Kidd, to a rebar found in a wall corner;

Thence S. 86° 53’ 01” E., 76.24 feet, by land, now or formerly, of the last named abutters, and the stone wall, to a drill hole found at a point therein, at the northwesterly corner of land, now or formerly, of Bonnie S. & Gary M. Lambert (see W.D.R.D. Book 16146, Page 181);

Thence S. 81° 15' 25" E., 200.42 feet, by the stone wall, to a drill hole therein;

Thence S. 80° 11' 40" E., 251.64 feet, by the wall, to a drill hole found in a corner of walls, at land, now or formerly, of Eugene F. Wilder, Laura L. Kidd and Patricia Kidd (see W.D.R.D. Book 9205, Page 94), the last two courses being by land, now or formerly, of B.S. & G.M. Lambert;

Thence S. 37° 38' 23" E., 13.00 feet, across an opening in the wall, to a point in its continuation;

Thence S. 42° 08' 53" E., 83.93 feet, by and through the wall, to a point in the center of "Connelly Brook" so-called;

Thence S. 40° 12' 31" E., 57.93 feet, re-crossing the Brook and entering and running by the wall continuation, to a drill hole set in a corner of walls, at land, now or formerly, of J. Scott & Lori Ann Underwood (see W.D.R.D. Book 16781, Page 228), the last three courses being by land, now or formerly, of E.F. Wilder et al;

Thence S. 53° 30' 49" W., 39.53 feet, by the wall, to a point therein;

Thence S. 55° 38' 12" W., 134.86 feet, by and through the wall and re-crossing the Brook, to a drill hole set in the continuation of the wall;

Thence S. 55° 44' 10" W., 275.71 feet, by the stone wall, to a drill hole set at an angle in the wall;

Thence S. 25° 04' 40" W., 132.74 feet, by the wall, to a point at the end of the wall segment;

Thence S. 25° 44' 24" W., 127.47 feet, re-crossing the Brook and entering and running by the continuation of the wall, to a drill hole set in a corner of walls;

Thence S. 24° 35' 38" W., 153.44 feet, by the wall, to a drill hole set in a wall corner;

Thence S. 49° 07' 35" E., 492.84 feet, by the stone wall, to a drill hole set in a corner of walls;

Thence S. 48° 18' 19" E., 176.24 feet, by the wall, to a point therein;

Thence S. 52° 27' 18" E., 37.81 feet, by the wall, to a point therein;

Thence S. 47° 51' 58" E., 265.10 feet, by the wall, to a drill hole found in a wall corner, said drill hole marking the northeasterly corner of land, now or formerly, of Robert J. & Clara L. Gorczynski (see W.D.R.D. Book 8916, Page 358), the last ten courses being by land, now or formerly, of J.S. & L.A. Underwood;

Thence S. 49° 48' 31" W., 263.13 feet, by the wall, and by the northerly lines of lands, now or formerly, of the aforesaid R.J. & C.L. Gorczynski, of Russell L. & Merie R. Bracy (see W.D.R.D. Book 3941, Page 574), and of Barbara L. Day (see W.D.R.D. Book 7022, Page 187), to a point in the wall at the northeasterly corner of land, now or formerly, of Kenneth D. & Deborah L. Johnson (see W.D.R.D. Book 15990, Page 374);

Thence S. 42° 15' 52" W., 49.97 feet, by the wall, to a drill hole set in a wall corner, said corner being the northwesterly corner of the last named abutter;

Thence S. 46° 38' 48" E., 71.13 feet, by the wall, to a point therein;

Thence S. 37° 46' 05" E., 89.93 feet, by the wall, to a point therein;

Thence S. 40° 25' 35" E., 77.17 feet, by the wall, to a point therein;

Thence S. 36° 59' 46" E., 59.03 feet, by the wall, to a drill hole set in a wall corner, at a point in the northwesterly layout line of Princeton Road-Route 62, said corner

being the southwesterly corner of land, now or formerly, of K.D. & D.L. Johnson, by which land the last five courses run;

Thence S. 51° 40' 09" W., 143.48 feet, by the stone wall marking the northwesterly layout line of Princeton Road-Route 62, to a point therein;

Thence S. 53° 24’ 31” W., 87.11 feet, by the stone wall and the highway layout line to a drill hole set at a point therein;

Thence S. 53° 51’ 40” W., 19.41 feet, by the stone wall and the highway layout line, to a point therein at the southeasterly corner of other land, now or formerly of Richard T. & Maureen A. Higgins, specifically excluded from the provisions of this order of taking, and reserved to said supposed owners, shown upon the survey plan cited below as “Lot 5”;

Thence N. 30° 51’ 45” W., 320.00 feet, by Lot 5, to a point at an angle in the line;

Thence N. 19° 57’ 15” W., 299.77 feet, by Lot 5, to a point at an angular corner;

Thence N. 76° 51’ 45” W., 193.59 feet, by Lot 5, passing through the face of a stone wall segment and running to a point at the northernmost corner of Lot 5;

Thence S. 18° 38’ 15” W., 125.89 feet, by Lot 5, to a point at another corner;

Thence S. 76° 51’ 45” E., 76.93 feet, by Lot 5, to a drill hole set in a stone wall, at another corner;

Thence S. 33° 03’ 35” W., 54.30 feet, by Lot 5 and the stone wall, to a point at another lot corner, being the northwesterly corner of Lot 5 and the northeasterly corner of “Lot 1”, other land, now or formerly, of Richard T. & Maureen A. Higgins, specifically excluded from the provisions of this order of taking, and reserved to said supposed owners;

Thence S. 33° 03’ 35” W., 197.00 feet, by and through the stone wall and running to another lot corner, being the northwesterly corner of Lot 1, and the northeasterly corner of “Parcel A”, other land supposed to belong to Richard T. & Maureen A. Higgins, excluded from seizure under the provisions of this order of taking, but described and restricted herein, as set forth below;

Thence S. 33° 03’ 35” W., 78.00 feet, by Parcel A, to a point at an angular corner thereof;

Thence S. 02° 15’ 35” E., 122.30 feet, by Parcel A, to a point of curvature;

Thence Southeasterly, by Parcel A, along the arc of a curve to the right, having a radius of 325.00 feet, an arc distance of 155.00 feet, to a point;

Thence S. 21° 04' 01" E., 150.00 feet, partially by Parcel A and partially by Lot 1, to a point of curvature;

Thence Southeasterly, by Lot 1, along the arc of a curve to the left, having a radius of 25.00 feet, an arc distance of 40.87 feet, to a point in the northeasterly layout line of Princeton Road-Route 62, said point being the southwestern-most point of Lot 1;

Thence S. 65° 15' 18" W., 66.75 feet, by the highway layout line to the first mentioned point at land, now or formerly, of the Alfred Lewis Realty Trust, being the point and place of beginning.

Containing 54.07 acres, more or less, as shown as Lot 2 upon a survey plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Sterling (Worcester County) Mass., Land Taking Plan for Watershed Protection", dated June 2000, and prepared by David E. Ross Associates, Inc., which plan is recorded with Worcester District Registry of Deeds, as Plan 123 in Plan Book 762.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Princeton Road-Route 62 and/or "Connelly Brook" so-called, and/or the waters thereof which may be held by the supposed owners, as a result of their ownership of the above described property, being most of the same premises described as tracts three and four in a deed from Leominster Federal Savings and Loan Association to Richard T. Higgins and Maureen A. Higgins, dated November 26, 1965 and recorded with Worcester District Registry of Deeds at Book 4623, Page 301, and also all of the same premises described in a deed from the Town of Sterling to Richard J. Higgins and Maureen A. Higgins, dated December 30, 1981 and recorded with said Deeds at Book 7390, Page 379.

The above-described property is represented upon Sterling Assessors Tax Map 13 as Parcel 2, and most of Parcel 12.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any

kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

AND IT IS FURTHER ORDERED: That the Metropolitan District Commission by virtue of the same powers and authority, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a restriction in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, which restriction shall limit the use of the said parcel as follows:

1. The construction or placing of any buildings or structures or parts thereof, intended for residential use, shall not be permitted on said premises.

2. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.

Said restricted premises comprises a certain parcel of land lying off of the northwesterly side of Princeton Road-Route 62, shown as "Parcel A" upon the above cited recorded survey plan, more particularly bounded and described as follows:

Beginning at a point in the southwesterly corner of the parcel herein being described, said corner being also a corner of Lot 1, reserved property referenced above, said point being located N. 21° 04' 01" W., 110.00 feet from the northwesterly end of the 25.00 foot radius curve forming the southwesterly corner of Lot 1, as described above;

Thence	N. 22° 25' 59" E., 175.00 feet, by Lot 1, to a point at an angular corner;
Thence	N. 34° 39' 34" W., 230.18 feet, by Lot 1, to a point at the northeasterly corner of the parcel herein being described, said point being the same recited above at the conclusion of the forty-fifth (45th) course in the description of Lot 2, above;
Thence	S. 33° 03' 35" W., 78.00 feet, by Lot 2, to a point at an angular corner thereof;
Thence	S. 02° 15' 35" E., 122.30 feet, by Lot 2, to a point of curvature;
Thence	Southeasterly, by Lot 2, along the arc of a curve to the right, having a radius of 325.00 feet, an arc distance of 155.00 feet, to a point;
Thence	S. 21° 04' 01" E., 40.00 feet, by Lot 2, to the first mentioned point at the southwesterly corner of Parcel A, being the point and place of beginning.

Containing 30,634 square feet, or 0.7033 acres, as shown upon Plan 123 in Plan Book 762, as more fully cited above.

Meaning and intending to take hereby a building and zoning restriction in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in a deed from Leominster Federal Savings and Loan Association to Richard T. Higgins and Maureen A. Higgins, dated November 26 1965 and recorded with the Worcester District Registry of Deeds at Book 7390, Page 379. The above-described restricted parcel is represented upon Sterling Assessors Tax Map 13 as a portion of Lot 12.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Richard T. Higgins and Maureen A. Higgins	$385,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $385,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 70.2282 acres of land owned by Clover Ridge Associates Limited Partnership, et al, located in the Town of Hubbardston, Massachusetts, and to approve an award of damages in the amount of $500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 70.2282 acres of land owned by Clover Ridge Associates Limited Partnership, et al, located in the Town of Hubbardston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 21, 2000.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hubbardston in the County of Worcester and Commonwealth of Massachusetts, namely:

Four certain parcels of land lying in the southerly part of the said Town of Hubbardston, on Barre Road, at or near its intersection with Hale Road, more particularly bounded and described as follows:

Parcel A-1

A certain parcel of land lying on the southerly side of Barre Road, shown as Lots A, B, C, D, E and all of the lands contained within the bounds of the proposed streets called "Long View Road", "Long View Road East", and "Long Meadow Road" as shown upon Plan Book 613, Plan 56, and Lot 25 as shown upon Plan Book 559, Plan 81, with the exception of the 3 acres subdivided as Lot 11 upon Plan Book 706, Plan 72, and excluding the area of 11,853 square feet, more or less, contained in a septic system easement granted by Clover Ridge Associates Limited Partnership to John M. Walsh & Katherine A. Walsh in a deed dated 27th April 1992 and recorded with Worcester District Registry of Deeds at Book 14189, Page 26.

Beginning at a point in the southerly Record Layout line of Barre Road, (see Plan 6 in Plan Book 89) said point being opposite the intersection of Hale Road with Barre Road, and also being at the northeasterly corner of land, now or formerly, of Karl Heine (see Worcester District Registry of Deeds Book 18158, Page 170) shown as Lot 11 on Plan 72 in Plan Book 706, said point being further located as lying 140.525 feet northeasterly, as measured along a curve to the right, having a radius of 650.00 feet and a central angle of 12° 23' 13", from a Worcester County Highway bound found;

Thence	S. 48° 08' 46" E., 180.00 feet, by Lot 11, to a point;
Thence	S. 56° 00' 00" E., 125.00 feet, by Lot 11, to a point;
Thence	S. 71° 44' 52" E., 79.69 feet, by Lot 11, to a point at an angular lot corner;
Thence	S. 62° 53' 22" W., 95.80 feet, by Lot 11, to a point at another angular lot corner;
Thence	S. 09° 06' 47" E., 277.69 feet, by the southeasterly line of Lot 11, land, now or formerly, of Karl Heine, to a point at its southwesterly corner, said point marking also the southeasterly corner of land, now or formerly, of William A. Sr. & Louise Kelley (see W.D.R.D. Book 17894, Page 206), shown as Lot 14 upon a survey plan recorded with said Deeds as Plan 81 in Plan Book 559;
Thence	S. 18° 47' 12" W., 180.06 feet, by the southeasterly or rear line of Lot 14, to a point at the northeasterly corner of Lot 15, land, now or formerly, of David & Lori A. Darcy (see W.D.R.D. Book 14333, Page 112);
Thence	S. 15° 41' 06" W., 186.73 feet, by the southeasterly or rear line of Lot 15, to a point at the northeasterly corner of Lot 16, land, now or formerly, of Kevin Fogarty & Lisa Harris (see W.D.R.D. Book 12982, Page 193);

Thence S. 22° 07’ 19” W., 306.48 feet, by the southeasterly or rear line of Lot 16, to a point at the northeasterly corner of Lot 24, land, formerly of Karl D. Bellve et al (see W.D.R.D. Book 22641, Page 84);

Thence S. 61° 00’ 00” E., 60.00 feet, along the northeasterly side of other land, now or formerly, of Clover Ridge Associates L.P., to a point at its northeasterly corner (see W.D.R.D. Book 8890, Page 94), said other land is encumbered with a septic system easement granted to John M. & Katherine A. Walsh, the then current owners of the aforesaid Lot 24, in an instrument dated 27th April 1992, recorded with said Deeds at Book 14189, Page 26, which easement area is expressly excluded from the provisions of this order;

Thence S. 49° 33’ 15” W., 211.49 feet, by the rear or southeasterly line of the excluded septic system easement area, to a point at its southeasterly corner;

Thence N. 61° 00’ 00” W., 60.00 feet, by the southwesterly line of the excluded septic system easement area, to a point at its southwesterly corner, said point being also at the southeasterly corner of Lot 24;

Thence N. 61° 00’ 00” W., 368.66 feet, by the southwesterly line of Lot 24, along a “Future Road” as shown upon the plan cited above (see “Long Meadow Road” on Plan 56 in Plan Book 613), to a point of curvature;

Thence Northwesterly, by Lot 24, along the arc of a curve to the right, having a radius of 25.00 feet, an arc distance of 33.08 feet, said arc being subtended by a central angle of 101° 46’ 58”, to a point of tangency in the southerly layout line of Barre Road;

Thence Southwesterly, by the southerly line of Barre Road and the northerly line of the “Future Road”(“Long Meadow Road”), along the arc of a curve to the right, having a radius of 825.00 feet, an arc distance of 34.52 feet, to a point of tangency, at a Worcester County Highway bound found;

Thence S. 43° 10’ 49” W., 163.81 feet, by the southerly line of the highway, and partially by the northerly line of the “Future Road”(“Long Meadow Road”) and partially by the frontage of Lot 25, to another W.C.H. bound found;

Thence Southwesterly, by the southerly line of Barre Road and the frontage of Lot 25, along the arc of a curve to the left, having a radius of 475.00 feet, an arc distance of 84.12 feet, said arc being subtended by a central angle of 10° 08’ 42”, to a point of tangency, at the point marking the northeasterly corner of Lot 26, land, now or formerly, of Shirley Thompson et al(see W.D.R.D. Book 23398,Page 67);

Thence S. 65° 00’ 00” E., 450.00 feet, by the northeasterly line of Lot 26, to a point at its southeasterly corner;

Thence S. 21° 43’ 28” W., 159.73 feet, by the southeasterly or rear line of Lot 26, to a point at the northeasterly corner of Lot 27, land, now or formerly, of David G. Dahlstrom (see W.D.R.D. Book 20882, Page 154);

Thence S. 15° 03’ 31” W., 164.96 feet, by the southeasterly or rear line of Lot 27, to a point at the southwesterly corner of said Lot 27;

Thence N. 74° 28’ 00” W., 450.00 feet, by the southwesterly line of Lot 27, to a point in the southerly line of Barre Road;

Thence S. 15° 32’ 01” W., 50.60 feet, by the southerly line of Barre Road, to a point of curvature;

Thence Southeasterly, by the southerly line of Barre Road, along the arc of a curve to the left, having a radius of 3175.00 feet, an arc distance of 149.40 feet, said arc being subtended by a central angle of 02° 41’ 46”, to a point of tangency, which point is at the northwesterly corner of Lot 29, land, now or formerly of Lynne M. McMullen (see W.D.R.D. Book 15294, Page 159);

Thence S. 80° 00’ 00” E., 450.00 feet, by the northerly line of Lot 29(and the southerly line of “Long Meadow Road” see Plan 56 in plan Book 613), to a point at the northeasterly corner of Lot 29;

Thence S. 05° 11’ 00” E., 161.99 feet, by the easterly or rear line of Lot 29, to a point at the northeasterly corner of Lot 30, land, now or formerly of Stephen M. Bieksha & Gayla J. Puliafico (see W.D.R.D. Book 14125, Page 296);

Thence S. 41° 12’ 10” E., 125.44 feet, by the easterly or rear line of Lot 29, to a point at land, formerly of the Federal Land Bank of Springfield, now of the Commonwealth of Massachusetts, Metropolitan District Commission, successor to the Metropolitan District Water Supply Commission (see M.D.W.S.C. Ware River General Taking No. 3, Land in Hubbardston, dated April 1, 1943 and recorded with said Deeds at Book 2883, Page 401);

Thence N. 65° 46’ 54” E., 2169.55 feet, by land of the Commonwealth of Massachusetts, entering a stone wall and running to a point in a wall corner, being the southeasterly corner of the parcel being described herein, at or near M.D.W.S.C. stone bound No. 91, as cited in the above referenced order of taking;

Thence N. 27° 00’ 23” W., 1560.72 feet, by the stone wall, and by land of the Commonwealth of Massachusetts, Department of Environmental Management, as successor to the Department of Forestry (see W.D.R.D. Book 1952, Page 202), to M.D.W.S.C. stone bound No. 59 as referenced in the order of taking cited above, at the southwesterly corner of other land of the Commonwealth of Massachusetts, M.D.C., formerly of Sulo & Annie F. Salomaa, taken by the M.D.W.S.C. in the above cited order of taking, and at the southeasterly corner of land, now or formerly, of Michael P. Pond (see W.D.R.D. Book 17336,Page 44) and shown as Lot 1 upon a survey plan recorded with said Deeds as Plan 82 in Plan Book 559, the last two recited courses are as shown upon Plan 56 in Plan Book 613;

Thence S. 63° 10’ 40” W., 198.19 feet, by the southeasterly or rear line of Lot 1, to a point at the southeasterly corner of Lot 2, land, now or formerly, of Nancy & Thomas Stokes (see W.D.R.D. Book 9827, Page 49);

Thence S. 74° 19’ 40” W., 200.94 feet, by the southeasterly or rear line of Lot 2, to a point at the southeasterly corner of Lot 3, land, now or formerly, of John P. & Colleen A. Altison (see W.D.R.D. Book 11594, Page 18);

Thence S. 74° 19’ 40” W., 202.10 feet, by the southeasterly or rear line of Lot 3, to a point at its southwesterly corner, said point being in the easterly line of the proposed “Future Road” identified as “Long View Road” upon plan 56 in Plan Book 613;

Thence N. 27° 06’ 38” W., 374.46 feet, by the westerly line of Lot 3 and the easterly line of the proposed “Long View Road”, to a point of curvature;

Thence Northeasterly along the arc of a curve to the right, having a radius of 25.00 feet, an arc distance of 40.31 feet, said arc being subtended by a central angle of 92° 23’ 41”, to a point of tangency, which point is in the southerly line of Barre Road;

Thence Southwesterly, by the southerly line of Barre Road, along the arc of a curve to the left, having a radius of 650.00 feet, an arc distance of 518.57 feet, said arc being subtended by a central angle of 45° 42’ 38”, to a point of tangency, which point is at the northeasterly corner of Lot 11 as shown upon Plan 72 in Plan Book 706, being land, now or formerly, of Karl Heine, and said point being the point and place of beginning.

Containing 63.7819 acres, more or less, by calculation.

Parcel B-2

A certain parcel of land lying upon the northerly side of Barre Road and the westerly side of Hale Road, at their intersection, shown as Lot 50 upon Plan Book 559, Plan 81 cited above and more fully referenced below.

Beginning at a Worcester County Highway bound found in the frontage of the parcel herein being described, said bound being located 91.99 feet southwesterly of the southwesterly corner of the intersection of Hale and Barre Roads.

Thence S. 19° 34' 24" W., 216.52 feet, by the northerly line of Barre road, to the southeasterly corner of Lot 49, land, now or formerly, of Scott J. & Susan M. Alix (see W.D.R.D. Book 13184, Page 335;

Thence N. 70° 44' 19" W., 361.05 feet, by the northerly line of Lot 49, to a point in the southerly line of a proposed "Future Road", other land, now or formerly, of Clover Ridge Associates L.P. (see W.D.R.D. Book 17578, Page 176 and Tract "A" as shown upon Plan Book 699, Plan 57);

Thence N. 50° 39' 27" E., 431.27 feet, by the southeasterly line of the "Future Road", to a point of curvature;

Thence Northeasterly, by the proposed road, along the arc of a curve to the right, having a radius of 25.00 feet, an arc distance of 25.21 feet, said arc being subtended by a central angle of 57° 41' 13", to a point of tangency, which point is in the southwesterly line of Hale Road;

Thence S. 67° 37' 46" E., 52.99 feet, by the southwesterly line of Hale Road, to a point at an angle therein;

Thence S. 37° 46' 12" E., 34.94 feet, by the southwesterly line of Hale Road, to a point at another angle therein;

Thence S. 09° 44' 39" E., 57.39 feet, by the southwesterly line of Hale Road, to the point of intersection with the northerly line of Barre Road;

Thence Southwesterly, by the northerly line of Barre Road, along the arc of a curve to the left, having a radius of 700.00 feet, an arc distance of 91.99 feet, said arc being subtended by a central angle of 07° 31' 47", to a point of tangency at the highway bound first mentioned, being the point and place of beginning.

Containing 92,387 square feet, or 2.1209 acres, more or less, by survey calculation.

Parcel C-3

A certain parcel of land lying on the northerly side of Barre Road, 1002.02 feet southwesterly of the parcel last described above, as measured along the northerly line of Barre Road, shown as Lot 44 upon Plan Book 559, Plan 81.

Beginning at a Worcester County Highway bound found at the southeasterly corner of the parcel herein being described, said bound marking the southwesterly corner of Lot 45, land now or formerly, of David M. Richards (see W.D.R.D. Book 17578, Page 181);

Thence Southeasterly, by the northerly line of Barre Road, along the arc of a curve to the left, having a radius of 525.00 feet, an arc distance of 198.25 feet, said arc being subtended by a central angle of 21° 38’ 10”, to a point of tangency, at the southeasterly corner of Lot 43, land, now or formerly, of Marvin I. Lanier (see W.D.R.D. Book 17578, Page 178);

Thence N. 68° 27’ 19” W., 400.00 feet, by the northerly line of Lot 43, to a point at the northwesterly corner of the parcel being described herein, and at other land, now or formerly, of Clover Ridge Associates L.P. (see W.D.R.D. Book 17578, Page 176 and Tract “A” as shown upon Plan Book 699, Plan 57);

Thence N. 32° 25’ 00” E., 348.95 feet, by the last named abutter, to a point at the northwesterly corner of Lot 45;

Thence S. 46° 49’ 09” E., 474.54 feet, by the southerly line of Lot 45, to the first mentioned highway bound at the southeasterly corner of the parcel being described herein, being the point and place of beginning.

Containing 106,340 square feet, or 2.4412 acres, more or less, by survey calculation.

Parcel D-4

A certain parcel of land lying on the northerly side of Barre Road, 400.00 feet southwesterly, as measured along the northerly line of Barre Road, from the parcel last described above, shown as Lot B upon Plan Book 613, Plan 58.

Beginning at a point in the northerly line of Barre Road, at the southeasterly corner of the parcel herein being described, and at land, now or formerly, of Marvin I. Lanier, shown as Lot 42 upon Plan 81 in Plan Book 559 (see W.D.R.D. Book 17578, Page 178);

Thence N. 76° 37’ 35” W., 395.82 feet, by the southerly line of Lot 42, to a point at its northwesterly corner, and at land, formerly of Clover Ridge Associates L.P., now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the order of taking dated May 14, 1992 recorded with said Deeds June 12,

1992 at Book 14294, Page 14, and the survey plan recorded with said Deeds as Plan 58 in Plan Book 613);

Thence N. 76° 37' 35" W., 39.97 feet, by land of the Commonwealth of Massachusetts, M.D.C., to a point at the northwesterly corner of the parcel herein being described;

Thence S. 14° 07' 09" W., 196.48 feet, by land of the Commonwealth of Massachusetts, M.D.C., to a point at the southwesterly corner of the parcel herein being described, at a point in the northerly line of a proposed "Future Road" to be known as "Turkey Roost Lane", which proposed lane is also land of the Commonwealth of Massachusetts, M.D.C.;

Thence S. 78° 46' 40" E., 414.35 feet, by the northerly line of the proposed "Turkey Roost Lane", to a point of curvature;

Thence Northeasterly along the arc of a curve to the left, having a radius of 25.00 feet, an arc distance of 38.90 feet, to a point of tangency, said point being in the northerly line of Barre Road;

Thence Northwesterly, by the line of Barre Road, along the arc of a curve to the left, having a radius of 3225.00 feet, an arc distance of 155.37 feet, to a point of tangency, at the southeasterly corner of the parcel herein being described, being the point and place of beginning.

Containing 82,074 square feet, or 1.8842 acres, more or less, by survey calculation.

The plans recorded with Worcester District Registry of Deeds, referred to in the above descriptions of the four parcels, taken herein and hereby, are more fully cited below, in the order in which they are referenced above:

Plan Book 89, Plan 6 is the series of plans prepared by the Worcester County Engineer under Decree 1064, each labeled PLAN H-2465-R, which plans correspond to the series of Orders of Taking by the Town of Hubbardston, the first dated October 25, 1935 and recorded with said Deeds at Book 2653, Page 348, the second dated October 20, 1936 and recorded with said Deeds at Book 2679, page 142, and the third dated January 4, 1937 and recorded with said Deeds at Book 2686,Page 268.

Plan 56 in Plan Book 613 is a plan entitled "Clover Ridge East, Plan of Land in Hubbardston, MA", prepared by HMM Engineers Inc., Louis F. Bruno P.L.S. and Brian M. Szoc, P.L.S., and dated 6/01/88.

Plan 81 in Plan Book 559 is a plan entitled "Plan Of Lots Surveyed For David M. Richards Hubbardston, MA", prepared by Szoc Surveyors, Brian M. Szoc, R.P.L.S., and dated July 18, 1986.

Plan 72 in Plan Book 706 is a plan entitled "Plan Of Land Prepared For Clover Ridge Associates Hubbardston, MA", prepared by Szoc Surveyors, Brian M. Szoc, R.P.L.S., and dated July 15, 1996.

The plan accompanying the Metropolitan District Water Supply Commission General Taking No.3 Land in Hubbardston, dated April 1, 1943 recorded with said Deeds at Book 2883, Page 401, is entitled "Commonwealth of Massachusetts, Metr. Distr. Water Supply Commission Ware River Watershed Land In Town of Hubbardston Plan No. W-9 of Land Takings Under Chapter 375 Acts of 1926", prepared under the supervision of Stanley M. Dore, Asst. Chief Engineer and Karl R. Kennison, Chief Engineer, dated December 16, 1942, and being Plan Accession No. 27,612.

Plan 82 in Plan Book 559 is a plan entitled "Plan of Lots Prepared for David M. Richards Hubbardston, MA", prepared by Scoz Surveyors, Brian M. Szoc, R.P.L.S., and dated July 22, 1986.

Plan 57 in Plan Book 699 is a plan entitled "Plan of Land Prepared for Clover Ridge Associates Hubbardston, MA", prepared by Szoc Surveyors, Brian M. Szoc, R.P.L.S., and dated September 30, 1994.

Plan 58 in Plan Book 613 is a plan entitled "Clover Ridge West Plan of Land In Hubbardston, MA", prepared by HMM Engineers Inc., Louis F. Bruno, P.L.S. and Brian M. Szoc, P.L.S., and dated 6/1/88.

The total area of all lands taken herein and hereby is calculated to be 70.2282 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Barre Road, and in the proposed partially constructed streets that were intended to be known as "Long View Road", "Long View East Road", and "Long Meadow Road", which may be held by the supposed owners as a result of their ownership of the above described premises, and Parcel A-1 and B-2, as described above, being most of the remaining undeveloped portion of the same premises described in a deed from Weikko R. Halopainen and Helen U. Halopainen to Clover Ridge Associates Limited Partnership, dated August 23, 1996 and recorded with Worcester District Registry of Deeds at Book 8890, Page 88, Parcel C-3, as described above, being a portion of the same premises described in a deed from Clover Ridge Associates Limited Partnership to David M. Richards, dated December 26, 1995 and recorded with said Deeds at Book 17587, Page 181, and Parcel D-4, as described above, being a portion of the same premises described in a deed from Clover Ridge Associates Limited Partnership to Marvin I. Lanier, dated December 26, 1995 and recorded with said Deeds at Book 17578, Page 178.

The above-described property is represented upon Hubbardston Assessors Tax Map 7 as all of Parcels 101, 107, 110, 117, 120, 159 and 160, and almost all of Parcel 58.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Clover Ridge Associates Limited Partnership David M. Richards Marvin I. Lanier	$500,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 14, recommending that the Commission adopt a confirmatory Order of Taking for acquisition of approximately 11.23 acres of land owned by Arthur P. Charbonneau, Trustee, located in the Town of Princeton, Massachusetts, and ratify the Order of Taking originally adopted by the Commission on June 13, 1996.
The Commission V O T E D: to adopt a confirmatory Order of Taking for acquisition of approximately 11.23 acres of land owned by Arthur P. Charbonneau, Trustee, located in the Town of Princeton, Massachusetts.

CONFIRMATORY
ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 21, 2000.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Four certain parcels of land lying within a subdivision on the northerly line of the 1928 Worcester County Record Layout of Sterling Road-Route 62, three of which parcels front on the northerly line of said road, and the fourth on the cul-de-sac at the northerly terminus of the private subdivision street known as Parker Place, all of which parcels of land abut, are flowed by, or lie in close proximity to Babcock Brook, more particularly bounded and described as follows:

The lands in the said Town of Princeton shown as Lot 3, Lot 5, Lot 7, and a portion of Lot 6, upon a plan entitled "Parker Place Subdivision, Definitive Subdivision Plan of Land, Princeton, Ma. Sheet 1 of 2", dated December 12, 1987, last revision March 29, 1988, prepared by Joseph R. Henry & Associates, Inc. and by Neponset Valley Survey Associates, Inc., recorded with Worcester District Registry of Deeds as Plan 16 in Plan Book 603.

That portion of Lot 6 referred to above is shown, as Lot 6B, upon a plan entitled "Subdivision Plan of Land In Princeton, MA. Prepared For Snow Pond Realty Trust", dated June 9, 1988, prepared by David D. Lantana & Associates, Inc., which plan is recorded with said Deeds as Plan 17 in Plan Book 603.

Lot 3, as shown upon the first above cited plan, is supposed to contain about 173,900 square feet, or 4.0 acres, more or less.

Lot 5, as shown upon the first above cited plan, is supposed to contain about 141,300 square feet, or 3.2 acres, more or less.

Lot 6B, as shown upon the second above cited plan, is supposed to contain about 92,350 square feet, or 2.12 acres, more or less.

Lot 7, as shown upon the first above cited plan, is supposed to contain about 86,900 square feet, or 2.0 acres, more or less.

The total area of lands taken herein and hereby is calculated to be 11.23 acres, more or less.

ALSO taken herein and hereby is an easement over the private subdivision street known as "Parker Place", shown upon the two above cited plans, for all purposes for which public ways are commonly employed.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in "Babcock Brook", and/or Sterling Road-Route 62, which may be held by the supposed owner as a result of his ownership of the above described premises, and Lots 3, 5, and 7 being the same premises described in three deeds from Arthur P. Charbonneau, Trustee of Snow Pond Realty Trust, to Arthur P. Charbonneau, Trustee of Parker Place Realty Trust, all dated 05/27/88 and recorded with said Deeds at Book 11484, Pages 27, 28 and 29, Lot 6B being a portion of the same premises described in a deed from Lois I. O Connor to Arthur P. Charbonneau, Trustee of Snow Pond Realty Trust, dated 06/29/87 and recorded with said Deeds at Book 10723, Page 9.

The above-described property is represented upon Princeton Assessors Tax Map 13 as Parcels 14-6, 14-8, 14-10, and 14-11.

This order of taking is a confirmatory taking, intended to ratify the order of taking dated June 13, 1996, and recorded with said Deeds at Book 18052, Page 287. By this order of taking, the Metropolitan District Commission releases any fee interest which the Commonwealth of Massachusetts may have acquired in the private way known as "Parker Place", reserving, however, an easement interest in this street, as above stated, so that "Parker Place" in its entirety may be conveyed by Arthur P. Charbonneau, as Trustee of both Parker Place Realty Trust and of Snow Pond Realty Trust, to the Town of Princeton and accepted as a public way.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission previously awarded damages by its order of taking as cited above, dated June 13, 1996, to the supposed owner of the land, Arthur P. Charbonneau, Trustee of Parker Place Realty Trust, and Arthur P. Charbonneau, Trustee of Snow Pond Realty Trust.

The Commission further V O T E D: to ratify the Order of Taking originally adopted by the Commission on June 13, 1996.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Lacy, November 6, requesting approval and execution of an Amendment to Contract No. WM96-078-X1A, with Beals and Thomas, Inc., for Rutland Master Plan Update Technical Assistance Program, which extends the time of performance from December 31, 2000 to June 30, 2001.
(At no increase in Contract cost).

The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 21, 2000, to Contract No. WM96-078-X1A, with Beals and Thomas, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. McGinn and Baratta, October 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise (subject to the availability of funds) Project Nos. WM00-61-C1A (00-1H and 00-1W) for the Final Phase of Sewer Construction in Holden and West Boylston.
Estimated Cost - $8,375,000.00 for Holden and $10,100,000.00 for West Boylston – subject to the availability of funds.
Time for Performance – twenty-seven months.
Funding is anticipated to be available in Account Nos. 2420-7961, 2420-4994 and 2422-1444.
Authorization is further contingent on funds being received from the Massachusetts Water Pollution Abatement Trust prior to the Commission's award of either of these contracts.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise (subject to the availability of funds) Project Nos. WM00-61-C1A (00-1H and 00-1W) for the Final Phase of Sewer Construction in Holden and West Boylston

2. Report of Messrs. McGinn and Baratta, December 14, recommending the following on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, Inc., for Facilities Plan, Holden-West Boylston Sewer Project –
(a) That work be accepted as completed as of December 31, 1997.
(b) That reserve, in the amount of $47,735.73, be approved for payment.
(Basis of Award - $275,000.00)
(Amount to Date - $802,339.24)
(Contract Performance Rating – 9 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Weston and Sampson Engineers, Inc., Contractor under Contract No. WM95-061-D1A, be and hereby is accepted as completed as of December 31, 1997.
The Commission further V O T E D: to approve release of reserve, in the amount of $47,735.73, for payment.

3. Report of Messrs. McGinn and Baratta, October 4, recommending approval of the following on Contract No. WM97-061-C1A (97-3H), with C.J.P. and Sons Co., for Fort Sumter/Center/Davis Hill – East Sewers, Holden –
Revision in Quantity – No. 3 – due to variations encountered in the field and necessary for ongoing sewer construction - **$96,227.58.**
Alteration – No. 2 – to reimburse the contractor for costs of utility hook-up for the pump stations installed on Main Street, Quaker Road, River Street, Wachusett Street and Winthrop Lane – at a cost of **$59,684.00.**
Extra Work Claim – No. 1 – for relocating a mismarked AC water main on Pinebrook Lane – at a cost of **$58,973.92.**

And an **Increase in the Upset Limit** of the Contract by **$214,885.50** (which increases the upset limit of the contract from $7,008,067.49 to $7,222,952.99).

Funds are available in Account No. 2420-7961.
The Commission V O T E D: to approve Revision in Quantity – No. 3, in the amount of $96,227.58.
The Commission further V O T E D: to approve Alteration – No. 2, in the amount of $59,684.00.
The Commission further V O T E D: to approve Extra Work Claim – No. 1, in the amount of $58,973.92.
The Commission further V O T E D: to approve an Increase in the Upset Limit in the amount of $214,885.50.

1. Report of Messrs. McGinn and Baratta, August 2, (resubmitted/revised 12/12/2000, 11/8/2000, 10/3/2000, 8/1/2000, 6/16/2000, 3/8/2000 and 8/2/1999), requesting approval of the following on Contract No. WM98-061-C1A (97-5W), with FED Corp., for Phase III Sewer Contract – West Boylston – Prospect Street/Shrine/Meadowbrook – West –
Revision in Quantity – No. 1 – for additional Control Density Fill required by the Massachusetts Highway Department for work on Route 12 – at a cost of **$385,812.00.**
Alteration No. 1 – for reimbursing the contractor for costs of utility hook-up for the pump station installed on Prospect Street – at a cost of **$4,989.00**.
Alteration No. 2 – for replacement of a fence and arborvitae removed during construction – at a cost of **$9,840.00**.
And an **Increase in the Upset Limit** of the Contract by **$400,641.00** (which increases the upset limit of the contract from $666,189.00 to $7,062,529.00).
Funds are available in Account No. 2420-7961.
The Commission V O T E D: to approve Revision in Quantity – No. 1, in the amount of $385,812.00.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of $4,989.00.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of $9,840.00.
The Commission further V O T E D: to approve an Increase in the Upset Limit in the amount of $400,641.00.

2. Report of Messrs. McGinn and Baratta, December 19, recommending the following on Contract No. WM97-061-D2A, with Weston and Sampson Engineers, Inc., for Master Sewer System Design – MDC Holden-West Boylston Sewer Project –
(a) That work be accepted as completed prior to September 30, 2000.
(b) That reserve, in the amount of $310,272.50, be approved for payment.
(Basis of Award - $1,951,000.00)
(Amount to Date - $3,256,873.85)
(Contract Performance Rating – 7 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Weston and Sampson Engineers, Inc., Contractor under Contract No. WM97-061-D2A, be and hereby is accepted as completed prior to September 30, 2000.

The Commission further V O T E D: to approve release of reserve, in the amount of $310,272.50, for payment.

1. Report of Messrs. McGinn and Baratta, November 14, recommending the following on Contract No. WM97-061-X5R, with Holden Municipal Light Department, with its Contractor, Fiore Construction Co., Inc., for Main Street Sewer Construction, Holden –
(a) That work be accepted as completed as of July 8, 2000.
(b) That adjustment to Invoice No. 5, owed to Holden Municipal Light Department, in the amount of $711.84, be approved for payment.
(c) That reserve, in the amount of $29,909.25, be approved for payment.
(Basis of Award - $559,101.00)
(Amount to Date - $599,463.00)
The Commission V O T E D: that the work of Holden Municipal Light Department, with its Contractor, Fiore Construction Co., Inc., be and hereby is accepted as completed as of July 8, 2000.
The Commission further V O T E D: to approve adjustment to Invoice No. 5, owed to Holden Municipal Light Department, in the amount of $711.84, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $29,909.25, for payment.

2. Report of Messrs. McGinn and Baratta, August 1, (revised December 19, 2000 and December 6, 2000), requesting approval of the following on Contract No. WM97-061 (97-4W), with J. A. Polito and Sons, for MDC Sewer Construction – West Boylston – Bunker Hill/Meadowbrook East – Phase II –
Extra Work Claim No. 1 – for cost incurred on the Worcester Street Pump Station due to time delay – including costs in labor, equipment and materials as well as increased costs for masonry subcontractor – an increase of **$31,213.76.**
Extra Work Claim No. 2 – including additional costs of materials – an increase of **$25,915.66.**
Revision in Quantities – Item Nos. 1-B - $14,400.00, 6E - $2,000.00, 10A - $15,000.00, 11B - $5,000.00, 11C - $2,800.00, 11D - $20,000.00 and 11E - $25,000.00, for a total of **$84,200.00.**
An increase in the Contract amount by a total of $141,329.42 – an increase in the upset limit from $6,592,544,50 to $6,746,946.00.
Funding from Account No. 2420-7961.
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of $31,213.76.
The Commission further V O T E D: to approve Extra Work Claim No. 2, in the amount of $25,915.66.
The Commission further V O T E D: to approve Revisions in Quantities in the amount of $84,200.00.
The Commission further V O T E D: to approve an increase in the Contract amount by a total of $141,329.42

3. Report of Messrs. McGinn and Baratta, September 26, requesting approval of the

following on Contract No. WM97-061-C1H (97-1H), with Albanese Brothers, Fort Sumter/Center/Davis Hill West Sewers – Holden –

Alteration No. 1 – reimbursing the Contractor for cost of utility hook-up for the pump stations installed on Dorothy Avenue, Heather Circle, Quinapoxet Street (East) and Sunnyside Avenue – at a cost of **$67,880.00**.

Extra Work Claim No. 1 – for relocating a section of water main on Lovell Street in Holden - at a cost of **$55,000.00**.

Revision in Quantity No. 1 – due to normal variations encountered in the field and is necessary for ongoing sewer construction, at a cost of **$1,400.00.**

Total - $124,280.00.

And an increase in the upset limit of the Contract from $5,944,474.60 to $6,068,754.60.

Funding from Account No. 2420-7961.

The Commission VOTED: to approve Alteration No. 1, in the amount of $67,880.00.

The Commission further VOTED: to approve Extra Work Claim No. 1, in the amount of $55,000.00.

The Commission further VOTED: to approve Revision in Quantity No. 1, in the amount of $1,400.00.

The Commission further VOTED: to approve an increase in the upset limit of the Contract from $5,944,474.60 to $6,068,754.60.

Adjourned at 9:55 a.m., to meet on Thursday, January 4, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Sixty Fifth (3965th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 4, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on December 14, 2000, were read and approved.

The Secretary submitted for signature the following paper which was signed by the Acting Commissioner and three Associate Commissioners:

1. Amendment No. 6, dated January 4, 2001, to Contract No. WM94-003-D1A. with Lichtenstein Consulting Engineers, for Remedial Design for Public Safety Considerations Beaman Street Bridge, West Boylston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Misslin, Brooks and Kane, December 18, 2000, requesting approval of an extension of time from August 30, 2000 to December 31, 2000, for administrative purposes only on Contract No. P00-2042-C1A, with Massey Construction Corp., for Renovations to the McCrehan Memorial Pool House, North Cambridge.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from August 30, 2000 to December 31, 2000, for administrative purposes only, as requested by Messrs. Faucher, Misslin, Brooks and Kane in their report of December 18, 2000, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Griffin, December 28, submitting for approval and execution by the Commissioner, an Amendment to Agreement to Contract No. PL82-1022-C1A, with the St. Paul Surety Company, for Revere Landing Park, which will resolve all outstanding issues and allow for final acceptance of the Contract.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated January 4, 2001to Agreement to Contract No. PL82-1022-C1A, with the St. Paul Surety Company, the following paper which was signed by Acting Commissioner Carr and three Associate Commissioners.

4. Report of Messrs. Faucher and Lenhardt, December 18, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1986-C2A, for Repair of John J. Beades Drawbridge, Boston.

Estimated Cost - $5,300,000.00.
Time for Performance – two years.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1986-C2A, for Repair of John J. Beades Drawbridge, Boston.

1. Report of Mr. Faucher and Mrs. O'Brien, December 15, submitting for approval Project Justification, Work Schedule, Project Summary and requesting authorization to advertise Project No. PL93-023-C2A, for Neponset River Trail, Boston and Milton.
Estimated Cost - $1,634,000.00.
Time for Performance – twelve months.
Account No. 2445-9516.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL93-023-C2A, for Neponset River Trail, Boston and Milton.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, December 28, 2000, on proposals for the purchase of forest products located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of King Timber Harvesting, of $3,250.24; to purchase approximately 16,210 board feet of timber on Roadside Sale No. R1NQ – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of King Timber Harvesting, of $3,055.00; to purchase approximately 99 cords of fuelwood on Roadside Sale No. R2NQ – Quabbin Reservoir Watershed.

3. Report of Messrs. McGinn and Vignaly, December 6, 2000, recommending the following, on Contract No. WM01-077-S1A, with American Underwater Search and Survey (AUSS), for Sidescan Imaging for Sonar Mosaics –
(a) That work be accepted as completed as of October 31, 2000.
(b) That Invoice Number AI-01-117, in the amount of $5,000.00, be approved for payment.
(Basis of Award - $5,000.00)
(Amount to Date - $5,000.00)
(Contract Performance Rating – 9 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of American Underwater Search and Survey (AUSS), Contractor under Contract No. WM01-077-S1A, be and hereby is accepted as completed as of October 31, 2000.
The Commission further V O T E D: to approve Invoice Number AI-01-117, in the amount of $5,000.00, for payment.

1. Report of Mr. McGinn, December 21, 2000, requesting approval of an Amendment to Contract No. WM95-060-X1A, with SEA Consultants, Inc., for On-Site Remediation Program – Construction Inspection and Engineer of Record Services, which extends the time of performance from December 31, 2000 to December 31, 2001.
(At no increase in Contract cost)
Mr. McGinn further requests authorization for the Commissioner to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Commissioner to execute the Amendment on behalf of the Commission.

2. Report of Messrs. McGinn and Scannell, October 10, submitting for approval and execution Contract No. WM01-028-M1A, with M – R Wood Recycling. for Acre Bridge Road Recreational Field Development Stump Removal and Grinding, at a cost of $9,000.00.
Funding from Account No. 2440-0501.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM01-028-M1A, dated January 4, 2001, with M – R Wood Recycling which was signed by the Acting Commissioner and three Associate Commissioners.

Adjourned at 9:20 a.m., to meet on Thursday, January 11, 2001, at 9:00 a.m.

Secretary

Record of the Four Thousand Third (4003rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, October 25, 2001.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on October 11, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, October 15, recommending approval of the following on Contract No. P96-1819-C1A, with Boston Building & Bridge Corp., for Rehabilitation of Sweetser Bridges (Nos. 20 & 25), Everett –

Revision in Quantities	
Item No. 004-030 - Concrete Substructure Repair	$144,000.00
Extra Work Order	
No. 6 – Replace Steel Diaphragms	$ 2,559.37
Total -	$146,559.37

Funds are available in Account No. 2490-2001.
The Commission V O T E D: to approve revision in quantities on Item No. 004-030, in the amount of $144,000.00.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $2,559.37.

2. Report of Messrs. Faucher, Griffin and Trzcinski, October 17, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P02-2136-C1A, for Repairs to Land Boulevard Bridge, Cambridge.
Estimated Cost - $300,000.00.
Time for Performance – twelve months.
Account No. 2490-0012.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P02-2136-C1A, for Repairs to Land Boulevard Bridge, Cambridge.

3. Report of Messrs. Faucher, DiPietro and Galvin, October 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P00-2022-C1A, for Construction of Wastewater Discharge Systems' Modifications, General Edwards Bridge, Brookwood Farm and Breakheart Administration Building.
Estimated Cost - $200,000.00.
Time for Performance – six months.
Account No. 2440-4994.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P00-2022-C1A, for Construction of Wastewater Discharge Systems' Modifications, General Edwards Bridge, Brookwood Farm and Breakheart Administration Building.

1. Report of Mr. Faucher and Mrs. Graves Jones, October 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2132-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.
Estimated Cost - $200,000.00.
Time for Performance – Twelve months.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2132-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.

2. Report of Mr. Faucher and Mrs. Graves Jones, October 15, recommending approval of revisions in quantities on Contract No. P00-2080-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, as follows –

Item No. 005-010 – Reflectorized Line (Thermoplastic)	$ 65.55
Item No. 010-010 – Traffic Control Services	**$2,232.00**
	Total - $2,297.55

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010 – Four Inch Reflectorized Line (Paint) and 006-010 – Reflectorized Pavement Symbols and Legends (Paint).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Misslin, Brooks and Balicki, October 18, recommending approval of an extension of time from September 19, 2001 to November 9, 2001, due to a change order for Item No. 878-201, B.8 – Furnish and Install Stainless Steel Cover, on Contract No. P00-2104-C1A, with R. Zoppo Corp., for Tidal Gates Repair, Blacks Creek/Greenberg Bridge, Quincy.
The Commission V O T E D: to approve an extension of time from September 19, 2001 to November 9, 2001, as recommended by Messrs. Faucher, Misslin, Brooks and Balicki in their report of October 18, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher, Misslin, Brooks and Balicki, October 18, requesting approval of an Extra Work Order and a Revision in Quantities on Contract No. P00-2104-C1A, with R. Zoppo Corp., for Tidal Gate Repairs, Blacks Creek/Greenberg Bridge, Quincy, as follows –

Extra Work Order

No. 1 – Remove and Dispose of Bird Debris	**$ 846.58**

Revision in Quantities

Item No. 1 – Heavy Duty Hinge Pins	**$7,500.00**

Funding from Account No. 2440-0501.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $846.58.
The Commission further V O T E D: to approve the Revision in Quantities on Item No. 1, in the amount of $7,500.00.

1. Report of Messrs. Faucher and DiPietro, October 19, requesting authorization of payment to the U.S. Army Corps of Engineers of $49,786.00, which is MDC's 25% share of a Judgement in favor of the Contractor on Tunnel Construction and $442,000.00 for anticipated work for the reconstruction of the Old Quincy Reservoir Dam for FY2002 on the Town Brook Flood Control Project – Contract No. P82-0A02-FED.
Funding from Account Nos. 2440-8884 and 2440-8950.
The Commission V O T E D: to authorize payment to the U.S. Army Corps of Engineers of $49,786.00, which is MDC's 25% share of a Judgement in favor of the Contractor on Tunnel Construction and $442,000.00 for anticipated work for the reconstruction of the Old Quincy Reservoir Dam for FY2002 on the Town Brook Flood Control Project – Contract No. P82-0A02-FED, as requested by Messrs. Faucher and DiPietro in their report of October 19, 2001.

Action was taken upon the following Various Matters:

2. Report of Messrs. Chisholm, Gray, Kelter and Jewett, October 18, submitting for approval Metropolitan District Commission Debt Collection Policy and Procedures.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of General Counsel:

3. Report of Mr. Gray, October 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 21.8 acres of land owned by Brian J. Dale and Patricia M. Dale, located in the Town of Shutesbury, Massachusetts, and to approve an award of damages in the amount of
$32,500, together with such damages and costs as required under General Laws, Chapter 79 Sections 6, 12, 39, and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 21.8 acres of land owned by Brian J. Dale and Patricia M. Dale, located in the Town of Shutesbury, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, October 25, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the

General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Shutesbury in the County of Franklin and Commonwealth of Massachusetts, namely:

A certain tract of land, lying on the southwesterly side of Locks Pond Road, the westerly side of New Boston Road, and upon both banks of a small tributary which is the northerly portion of the West Branch of the Swift River, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel being described herein, at or near the southerly end of a stone wall marking the westerly line of the town road known as New Boston Road, and at the northeasterly corner of land, formerly of Frank Mascaro, later of the Town of Shutesbury, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the 3rd parcel described in the order of taking dated August 8, 1991, recorded with Franklin Registry of Deeds on 08/23/1991, at Book 2561, Page 196);

Thence Northeasterly and northwesterly, about 525 feet, more or less, by and through the stone wall and by the westerly line of the road, to a point, at the angular intersection with the town road known as Locks Pond Road;

Thence Northwesterly and westerly, about 1670 feet, more or less, crossing the West Branch of the Swift River, by the southwesterly and southerly line of Locks Pond Road, to a point at an angle, at land, formerly of Frederick T. & Laura K. Lyman, now of the Commonwealth of Massachusetts, Metropolitan District Commission, as successor to the Metro. Distr. Water Supply Comm. (see deed dated 10th November 1936, recorded with said deeds on 11/20/1936 at Book 821, Page 42) ;

Thence Westerly, 590 feet, more or less, by the remains of a virginia rail fence and by land, formerly of Lyman, to a point, at the northwesterly corner of the tract being described herein;

Thence Southerly and southwesterly, 880 feet, more or less, by the remains of the virginia rail fence and by land, formerly of Lyman, to a point at the southwesterly corner of the tract being described herein;

Thence Southeasterly, easterly and northeasterly, 438 feet, more or less, by the remains of the split rail fence, and land formerly of Lyman, to a point in a pile of stones, at the northwesterly corner of land, formerly of Mascaro, later of the Town of Shutesbury and, now of the Commonwealth of Massachusetts;

Thence Northeasterly and easterly, 835 feet, more or less, by the remains of the virginia rail fence, and land formerly of the Town, re-crossing the West Branch of the Swift River and running to the first mentioned point at the southeasterly corner of the tract being described herein, in the westerly line of New Boston Road, being the point and place of beginning.

Containing 21.8 acres, more or less, as shown as Lot 9, land formerly of John Moran, upon a plan entitled "Commonwealth of Massachusetts, Metr. Distr. Water Supply Commission, Quabbin Reservoir Real Estate Survey, Sheet 526", dated 1938, which plan sheet is Accession Number 17061 and is on file, both at Quabbin Reservoir Headquarters, 485 Ware Road, Belchertown, MA, and at Commission Headquarters, in the Office of the Division of Watershed Management, located on the 8th floor at 20 Somerset Street, Boston MA.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Brian J. Dale Patricia M. Dale	± 21.8 acres, more or less

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being the same premises described in two deeds, the first from Harry H. Sadowski and Charles Valkavitch to Brian J. Dale and Patricia M. Dale, dated 15th April 1987 and recorded with the Franklin County Registry of Deeds at Book 2122, Page 93, and the second from Allan P. Deselets, a.k.a. Alan P. Deselets and Sandra R. Deselets, a.k.a. Sandra Deselets to Brian J. Dale and Patricia M. Dale, dated May 25, 2000 and recorded with said Deeds at Book 3630, Page 266.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, except as provided below.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.

3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for the development of any adjoining unrestricted land, nor shall any part of the 21.8 acre parcel be subdivided.

4. No septic systems or leach fields shall be permitted, but the construction of a composting toilet or some other appropriate and comparable closed system with no discharge is expressly permitted.

5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land, or for the permitted alterations provided for below.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers shall be permitted.

7. No tillage shall be permitted, except for the continuing use of the small open field area, for the organic cultivation of food for personal consumption.

8. No grazing or sheltering of livestock or animals shall be permitted.

No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted, nor shall the premises be leased, rented or permitted for dwelling to persons other than the owner(s).

No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

Notwithstanding the provisions set forth above, the owners may, if they so wish, increase the size of the existing 600 square foot camp building, or construct an adjacent storage building, or both, provided however that the total square-footage of building on this northwesterly portion of the property does not exceed 1200 square feet in total, and, if the owners should choose to repair or rebuild the structure on the easterly side of the property, it will not be used for residential purposes, but only as an accessory storage building.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns

or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same. By operation of this taking, the Commission expressly retains the right of first refusal to purchase the fee interest in the above described land, and such right shall run with the land.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Brian J. Dale and Patricia M. Dale	$ 32,500

The Commission further V O T E D: to approve an award of damages in the amount of $32,500, together with such damages and costs as required under General Laws, Chapter 79 Sections 6, 12, 39, and 44A.

Adjourned 9:40 a.m., to meet on Thursday, November 1, 2001, at 9:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Nine Hundred and Sixty Sixth (3966th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 11, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort and Sheppard.

The Records of the Commission Meeting held on December 21, 2000 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Thurlow, December 26, recommending that work be accepted as completed as of November 15, 2000, on Contract No. P00-2067-M1A, with McNulty Landscaping, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation -
(Basis of Award - $76,970.00)
(Amount to Date - $71,042.00)
(Contract Performance Rating – 4.33)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of McNulty Landscaping, Contractor under Contract No. P00-2067-M1, be and hereby is accepted as completed as of November 15, 2000.

2. Report of Messrs. Faucher and McCalla, December 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2094-C1A, for Improvement of Street Lighting Systems on MDC Parkways and Roadways.
Estimated Cost - $250,000.00.
Time for Performance - Fiscal Years 2001 – 2002.
Account Nos. 2444-9005 and 2490-0017.
(Funding for Fiscal Years other that the current year is contingent upon sufficient funds being made available through the annual budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2094-C1A, for Improvement of Street Lighting Systems on MDC Parkways and Roadways.

3. Report of Messrs. Faucher, Brooks and Abounaja, January 3, requesting approval of additional funding in the sum of $20,000.00 to abate asbestos insulation from Division of Watershed facilities at the Wilson Street Yard, Clinton, on Contract No. P00-2064-C1A, with SCS Environmental Services for Asbestos Abatement from Various MDC Facilities.
Funding from Account No. 2420-1400.
The Commission V O T E D: to approve additional funding in the sum of $20,000.00 to abate asbestos insulation from Division of Watershed facilities at the Wilson Street Yard, Clinton, on

Contract No. P00-2064-C1A, with SCS Environmental Services for Asbestos Abatement from Various MDC Facilities, as requested by Messrs. Faucher, Brooks and Abounaja in their report of January 3, 2001.

Action was taken upon the following Various Matters:

1. Report of Mrs. Overton Bussell and Mr. Murphy, January 4, requesting approval to solicit proposals for Project No. CS-CH55-X3A, Engineering Services to Complete a Comprehensive Spill Prevention, Control and Countermeasure (SPCC) Plan for the Amelia Earhart Dam, as part of the Clean State Compliance Program.
Estimated Cost – Not-to-exceed $5,000.00.
Time for Performance – no more than two months.
Funding is available in Account No. 2440-4994.
The Commission V O T E D: approval to solicit proposals for Project No. CS-CH55-X3A, Engineering Services to Complete a Comprehensive Spill Prevention, Control and Countermeasure (SPCC) Plan for the Amelia Earhart Dam, as part of the Clean State Compliance Program.

2. Report of Mr. Doak, January 9, recommending that the Agreement between the MDC and Charles River Recreation, Inc. – for providing cross country skiing at the Leo J. Martin Golf Course in Weston, which expired on March 17, 2000, be extended again for one season through March 16, 2001, under the same terms and conditions as the prior Agreement.
The Commission is further requested to authorize the Secretary to execute the extension on its behalf.
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of January 9, 2001. The Commission further V O T E D: to authorize Secretary Chisholm to execute the extension on its behalf.

Adjourned at 9:15 a.m., to meet on Thursday, January 18, 2001, at 9:00 a.m.

William J. Chisholm
Secretary

Record of the Three Thousand Nine Hundred and Sixty Seventh (3967th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 18, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 4, 2001 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Abounaja, January 3, recommending approval of revisions in quantities on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities, as follows –

Item No. 004-001 Remedial Work Crew Shift	**$12,800.00**
Item No. 005-005 Excavation and Lawful Disposal of Contaminated Soils at an approved recycling facility	**$15,050.00**
Item No. 005-006 Excavation and Lawful Disposal of Contaminated Soils at an approved landfill for daily cover	**$17,150.00**
Item No. 003-003 Gravel Backfill and Compaction	**$ 5,000.00**
	Total - $50,000.00

Funding from Account No. 2420-1400.
The Commission V O T E D: Approved

2. Report of Messrs. Faucher and DiRamio, January 3, on bids for Construction of New Playground at the Shea Memorial Park, Quincy, Contract No. P01-2100-C1A.
(Messrs. Faucher and DiRamio recommend acceptance of the lowest bid received, that of Precision Group, Inc., in the sum of $33,600.00).
The Commission V O T E D: to accept the lowest bid received, that of Precision Group, Inc., in the sum of $33,600.00.

3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, November 28, 2000, recommending approval of the request of A.G.W. Marine Contractors, Inc., Contractor on Contract No. P97-1881-C2A, for Harbor Islands Piers Repairs, to engage the services of Fruean Utilities Construction, Inc., as sub-contractor, for Electrical Systems, at a sum of $18,819.00.
The Commission V O T E D: Approved

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, November 28, 2000, recommending approval of the request of McCourt Construction Company, Contractor on Contract No. P95-1804-C1A, for Dorchester Shores Beaches Restoration Program, to engage the services of M.O.N. Landscaping, Inc., for Plantings, at a sum of $190,025.15.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Haider, January 16, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to procure services of a plumbing contractor listed on the Master Service Agreement for Trades People, for Contract No. P01-2108-C1A, Removal and Installation of a New Raypack Pool Heater at Connell Pool, Weymouth.
Time for Performance – approximately ninety days.
Estimated Cost - $9,950.00.
Account No. 2440-0010.
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and Haider in their report of January 16, 2001.

3. Report of Messrs. Faucher, Brooks and Haider, January 16, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to procure services of a plumbing contractor listed on the Master Service Agreement for Trades People, for Contract No. P01-2107-C1A, Removal of the Oil Fired Heater from the Central Service Garage and Installing the New Furnace Removed from Gregory House in Milton.
Time for Performance – approximately ninety days.
Estimated Cost -$9,500.00.
Account No. 2440-0010.
The Commission V O T E D: Approved as requested by Messrs. Faucher, Brooks and Haider in their report of January 16, 2001.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Baratta, January 11, requesting that the Commission amend its vote of December 21, 2000, on Contract No. WM97-061-X9R, with Holden Municipal Light Department (Owner) – Fiore Construction Co., Inc., (Contractor), for Main Street Sewer Construction, Holden, by adjusting the final contract value to read $598,185.00 rather than $599,463.00, due to a decrease in actual quantity used as compared to the estimated revision in quantity.
The Commission V O T E D: to amend its vote of December 21, 2000, on Contract No. WM97-061-X9R, with Holden Municipal Light Department (Owner) – Fiore Construction Co., Inc., (Contractor), for Main Street Sewer Construction, Holden, by adjusting the final contract value to read $598,185.00 rather than $599,463.00, as recommended by Messrs. McGinn and Baratta in their report of January 11, 2001.

Adjourned at 9:15 a.m., to meet on Thursday, January 25, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Sixty Sixth (3966th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, January 25, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 11, 2001 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin, Brooks and Balicki, January 12, on bids for Replacement of and New DHW Heating System, MDC Headquarters Building, Boston, Contract No. P99-2008-C2A.
(The lowest bid received, that of Patrick J. Kennedy & Sons, Inc., of $144,445.00 shall be adjusted by deleting the allowance of $35,000.00 and inserting the lowest sub-bid submitted by General Air-Conditioning & Heating Co., Inc., of $30,100.00, resulting in a Contract award of $139,545.00).
Funding from Account No. 2440-8885.
The Commission V O T E D: to accept the lowest adjusted bid received, that of Patrick J. Kennedy & Sons, Inc., of $139,545.00.

2. Report of Messrs. Faucher, Misslin, Brooks and Balicki, January 17, on bids for Tidal Gate Repairs, Blacks Creek/Greenberg Bridge, Quincy.
(Messrs. Faucher, Misslin, Brooks and Balicki recommend acceptance of the only bid received, that of R. Zoppo Corp., of $199,400.00).
The Commission V O T E D: to accept the only bid received, that of R. Zoppo Corp., of $199,400.00.

3. Report of Messrs. Faucher, Brooks and Gabra, January 16, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P01-2091-C1A, for Rehabilitation of Flood Control Pump – Charles River Dam.
Estimated Cost - $100,000.00.
Time for Performance – ninety days.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2091-C1A, for Rehabilitation of Flood Control Pump – Charles River Dam.

4. Report of Messrs. Faucher, Brooks and Abounaja, January 2, recommending approval of Extra Work Claim No. 1, for transporting and disposing of contaminated soil from Indian Line Farm (I.L.F.) in Canton – at a cost of $17,950.26, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean Up at Various MDC Facilities.
(At no increase in Contract cost as the Extra Work Claim will be offset by unused quantities in Item No. 002-004 – Furnish and Install 4,000 Gallon U.S.T.).

The Commission V O T E D: to approve Extra Work Claim No. 1, at a cost of $17,950.26, as recommended by Messrs. Faucher, Brooks and Abounaja in their report of January 2, 2001. Associate Commissioner Elkort did not participate in discussion or vote on this matter.

1. Report of Messrs. Faucher and Thurlow, January 10, recommending approval of a revision in quantities on Item No. 001-0012 – Cherry Trees – at a cost of $14,430.00, on Contract No. P92-1628-C9A, with Northern Tree Services Inc., for 2000 and 2001 Parkway Landscape Improvements.
(Funding from Account No. 2448-0052).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, DiPietro and Galvin, January 19, recommending approval of Amendment No. 1 to Contract No. P00-2022-D1B, with Pennoni Associates, Inc., for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal Systems at Various MDC Facilities, as follows –
1. Add the Signal Corps Building at Castle Island, South Boston.
2. Increase the upset limit by $65,000.00 to $165,000.00.
3. Extend time of performance twelve months to April 30,2002.
Funding from Account No. 2440-4994.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Lenhardt, January 19, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 5 – for rewelding of a broken transition joint in the westbound passing lane – at a cost of $2,790.00, on Contract No. P00-2046-C1A, with B & E Construction, for Repair of Woods Memorial Bridge Deck, Everett/Medford.
Account No. 2440-9990.
The Commission V O T E D: to approve of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 5, on Contract No. P00-2046-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $2,790.00.

4. Report of Messrs. Faucher and Griffin, January 18, recommending the following on Contract No. P96-1866-C1A, with B & E Construction Corporation, for Repair of McCarthy Overpass, Somerville –
(a) That work be accepted as completed as of November 15, 2000.
(b) That Estimate No. 6 (Final), in the amount of $45,524.99, be approved for payment.
(c) That reserve, in the amount of $17,146.54, be approved for payment.
(Basis of Award - $320,882.00)
(Amount to Date - $342,930.85)
(Contract Performance Rating – 4.17)
(EEO Compliance - 3.50)
The Commission V O T E D: that the work of B & E Construction Corporation, Contractor under Contract No. P96-1866-C1A, be and hereby is accepted as completed as of November 15, 2000.

The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $45,524.99, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $17,146.54, for payment.

Action was taken upon the following Various Matter:

1. Report of Messrs. Jewett and Kelter, January 15, requesting approval and execution of a Contract with the Town of Canton to provide Americans With Disabilities Act Improvements to the Metropolis Skating Rink in Canton, as directed by the Legislature in Chapter 159 of the Acts of 2000.
Cost – a sum of not less than $140,000.00 shall be made available.
Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated January 25, 2001, with the Town of Canton, to provide Americans With Disabilities Act Improvements to the Metropolis Skating Rink in Canton, which was signed by the Commissioner and three Associate Commissioners. Associate Commissioner Elkort did not participate in discussion, vote on this matter or sign the Contract.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray and Ms. McLaughlin, January 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 12.606 acres of land owned by Nellie M.C. Beaman, John Beaman and the Estate of Lucille B. Beaman located in the Town of Princeton, Massachusetts and to approve an award of damages in the amount of $158,000.00, together with damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 12.606 acres of land owned by Nellie M.C. Beaman, John Beaman and the Estate of Lucille B. Beaman located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 25, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions

of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land lying on the northerly side of Beaman Road, more particularly bounded and described as follows:

Lot A

Beginning at the southwesterly corner of the parcel being described herein, at a drill hole set at a point in the stone wall marking the northerly line of Beaman Road, said drill hole being also at the southeasterly corner of land, now or formerly, of Daniel G. & Janet Keohane (see Worcester District Registry of Deeds Book 17725, Page 325, and Lot 1 on Plan Book 614, Plan 123);

Thence N. 08° 30’ 29” W., 245.75 feet, by land, now or formerly, of D.G. & J. Keohane, to an iron pin at an angle in the line, in a stone wall segment running, more or less, parallel with the northerly line of Beaman Road;

Thence N. 28° 10’ 55” W., 653.57 feet, by land, now or formerly, of D.G. & J. Keohane, to another iron pin set in the line of a wire fence, at a lot corner, being the northeasterly corner of the parcel being described herein, the northwesterly corner of land, now or formerly, of the aforesaid D.G. & J. Keohane, the southeasterly corner of land on the southeasterly side of Mirick Road, being land, now or formerly, of Richard W. & Margaret Mirick (see W.D.R.D. Book 3744, Page 1740, and the southwesterly corner of land located on the easterly side of Mirick Road and the northerly side of Beaman Road, being land, now or formerly, of David S. & Linda S. Milton (see W.D.R.D. Book 4476, Page 343);

Thence N. 60° 24’ 27” E., 303.00 feet, by land, now or formerly, of D.S. & L.S. Milton, to another iron pin set in a wall corner, marking the northeasterly corner of the parcel being described herein, and the northwesterly corner of the parcel described below as Lot B, land, now or formerly, of Nellie M.C. Mosher;

Thence S. 27° 05’ 33” E., 1002.16 feet, by Lot B, along a stone wall, across a gap therein and by the continuation of the wall, to a drill hole set in a wall corner, at a point in the northerly line of Beaman Road;

Thence S. 78° 27’ 18” W., 607.61 feet, by the northerly line of Beaman Road, by and through the stone wall, across a gap in the wall and running again through the continuation of the wall, to the first mentioned drill hole, being the point and place of beginning.

Containing 291,390 square feet, or 6.69 acres, as shown as the easterly parcel upon a plan entitled "Plan Of Property Surveyed For Alden G. Beaman, Beaman Road, Princeton, Massachusetts", prepared by Central Mass. Land Survey, Inc., R.F. Dombrowski P.L.S. #28084, dated 9/28/88 and recorded with said Deeds as Plan 123 in Plan Book 614.

Lot B

A certain parcel of land lying upon the northerly side of Beaman Road, adjoining the easterly side of the land described above as Lot A, more particularly described as follows:

Beginning at the southwesterly corner of the parcel herein being described, at a drill hole found at a point in the stone wall marking the northerly line of Beaman Road, said drill hole having been set to monument the southeasterly corner of Lot A, as described above;

Thence S. 72° 51' 06" W., 55.49 feet, by the road and the stone wall, to a point at the easterly end of the wall segment;

Thence S. 58° 07' 18" W., 306.64 feet, by the northerly line of the road, crossing the gap in the wall, running by and through another wall segment to an iron pin set at the westerly terminus of yet a third wall segment, said pin marking the southeasterly corner of the parcel herein being described, and also the southwesterly corner of land, late of the Estate of Lucille B. Beaman, now or formerly, of Nellie M.C. Mosher;

Thence N. 30° 36' 00" W., 700.00 feet, by the last cited abutting land, to an iron pin set at an angular corner;

Thence N. 75° 45' 34" W., 439.01 feet, by the last cited abutting land, to a drill hole in a stone wall corner, set to mark the northeasterly corner of Lot A, as described above;

Thence Southeasterly, 1002.16 feet, by the easterly line of Lot A, as described above, running along the stone wall, across a gap therein, and along and by the continuation of the wall, to the first mentioned drill hole in the westerly end of the stone wall segment on the northerly line of Beaman Road, being the point and place of beginning.

Containing 5.916 acres, more or less, as shown as the easterly portion of Lot 1, a parcel of 12.606 acres, more or less (the westerly portion being the 6.69 acre Lot A described above and shown upon Plan 123 in Plan Book 614), upon a plan entitled "Plan Of Land In Princeton, Mass. Prepared For The Estate Of Alden Beaman", prepared by Andrysick Land Surveying Services, Douglas W. Andrysick, P.L.S. # 34608, dated February 8, 2000, which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

The total area of the lands described above and intended to be taken herein and hereby is 12.606 acres.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Beaman Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the remaining unsold portions of the same premises described in a deed from Bertha E. Adams to Nellie P. Beaman, dated September 16, 1943 and recorded with Worcester District Registry of Deeds at Book 2903, Page 220. See also Worcester County Probate Docket No. 89P3336E1 for probate of the Estate of Alden G. Beaman, deceased November 2, 1989. See also Worcester County Probate for probate of the Estate of Lucille B. Beaman, deceased April 22, 2000.

The property described above as Lot A is represented upon Princeton Assessors Tax Map 8 as Lot 41, and the property described as Lot B is represented upon Princeton Assessors Tax Map 4 as the westerly portion of Lot 33.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Nellie M. C. Beaman, John Beaman, Estate of Lucille B. Beaman	$ 158,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $158,000.00, together with damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray and Ms. McLaughlin, January 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13.787 acres of land owned by Elizabeth Densmore, as Trustee for the William P. Densmore, Nominee Trust, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $228,000.00, together with damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 13.787 acres of land owned by Elizabeth Densmore, as Trustee for the William P. Densmore, Nominee Trust, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 25, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land, comprised of four contiguous subdivided house lots, lying on the northeasterly side of Sterling Road-Route 62 at its intersection with the northerly line of Houghton Road, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel being described herein, at a drill hole set in a stone wall corner, at a point in the northerly line of Houghton Road, and at land, now or formerly, of Kevin & Catherine A. Lavin (see the deed recorded with Worcester District Registry of Deeds at Book 11557, Page 95 and the plans recorded with said Deeds as Plan 90 in Plan Book 373 and plan 78 in Plan Book 531);

Thence S. 83° 58' 54" W., 46.11 feet, by the stone wall marking the line of the road, to a point therein;

Thence N. 80° 38' 21" W., 43.85 feet, by the wall and the line of the road, to the point of intersection of the northerly line of Houghton Road with the northeasterly layout line of Sterling Road-Route 62 (see Worcester County Commissioners Decree 703 Plan H-2005-R Sheet 4 of 7 as recorded with said Deeds in Plan Book 57 as Plan 3-4);

Thence Northwesterly, by the line of Sterling Road-Route 62, along the arc of a curve to the left, having a radius of 3230.00 feet, an arc distance of 152.44 feet, to a point at a Worcester County Highway bound at Station 25+89.19;

Thence Northwesterly, by the line of Sterling Road-Route 62, along the arc of a curve to the right, having a radius of 5557.57 feet, an arc distance of 592.77 feet, to a point at Station 19+93.44;

Thence N. 52° 18’ 40” W., 154.79 feet, by the line of Sterling Road-Route 62, to a point at the northwesterly corner of the parcel herein being described, and at other land, now or formerly, of Elizabeth C. Densmore, Trustee of the William P. Densmore Nominee Trust, shown as Lot A upon the survey plan referenced at the conclusion of this description, Lot A being expressly excluded from the provisions of this order and reserved to said Trustee, her successors and assigns;

Thence N. 54° 43’ 26” E., 1076.48 feet, by the southeasterly side-line of Lot A, to a point in a stone wall, at land, now or formerly, of Edward P. & Priscilla R. Foresteire (see the deed recorded with said Deeds at Book 4674, Page 537), said point being at the southeasterly corner of the reserved and excluded Lot A;

Thence S. 29° 11’ 07” E., 235.46 feet, by the stone wall and land, now or formerly, of E.P. & P.R. Foresteire, to a point in a corner, at a gap in the stone wall;

Thence N. 46° 09’ 13” E., 43.93 feet, continuing by land, now or formerly, of Foresteire, crossing the gap in the wall and running to a drill hole set in an angular wall corner at the easternmost corner of the assembled lots being described herein, and once again at land, now or formerly, of K. & C.A. Lavin;

Thence S. 11° 57’ 32” W., 332.48 feet, by land, now or formerly, of Lavin and the wall, to a drill hole set at a point therein;

Thence S. 11° 27’ 59” W., 650.79 feet, by land, now or formerly, of Lavin and the wall, to the first mentioned drill hole set in the wall corner and in the northerly line of Houghton Road, being the point and place of beginning.

Containing 13.787 acres, more or less, in total, as shown as Lots B, C, D and E upon a plan entitled “Plan Of Land In Princeton, Mass. Prepared For William P. Densmore Nominee Trust”, dated March 26, 1999, prepared by Andrysick Land Surveying, Inc., Douglas W. Andrysick, P.L.S., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road-Route 62 and/or Houghton Road, which may be held by the supposed owner as a result of her ownership of the above described premises, and being most of the same premises described in a deed from William P. Densmore to William P. Densmore Nominee Trust, dated December 27, 1995 and recorded with Worcester District Registry of Deeds at Book 17574, Page 31.

The above described property is represented upon Princeton Assessors Tax Map 12 as most of, and the easterly portion of, Parcel 37.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Elizabeth Densmore, as Trustee for of William P. Densmore Nominee Trust	$ 228,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $228,000.00, together with damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, January 17, recommending approval of a payment in the amount of $185,000.00, in settlement of all relocation claims as required under General Laws Chapter 79A, payable to Roy S. Bacon as Trustee, Bacon Associates, Roy S. Bacon, as Trustee, CNR Realty Trust, and Rhodes Construction, for the acquisition by an order of taking approved by the Commission on June 9, 1994, of approximately 8.19 acres of land located in the Town of Saugus.
The Commission V O T E D: to approve payment in the amount of $185,000.00, in settlement of all relocation claims as required under General Laws Chapter 79A, payable to Roy S. Bacon as Trustee, Bacon Associates, Roy S. Bacon, as Trustee, CNR Realty Trust, and Rhodes Construction, for the acquisition by an order of taking approved by the Commission on June 9, 1994, of approximately 8.19 acres of land located in the Town of Saugus.

2. Report of Mr. Gray and Ms. McLaughlin, January 17, recommending approval of payment in the amount of $35,786.67 to Total Highway Services for the temporary repairs completed at the Woods Memorial Bridge; and further, recommending approval of payment in an amount not-to-exceed $12,500.00 to the Office of the Attorney General to engage the services of a qualified consultant to assist in the preparation for trial and provide trial testimony, from account (s) deemed appropriate by the Finance Office.
The Commission V O T E D: to approve payment in the amount of $35,786.67 to Total Highway Services for the temporary repairs completed at the Woods Memorial Bridge.

The Commission further V O T E D: to approve payment in an amount not-to-exceed $12,500.00 to the Office of the Attorney General to engage the services of a qualified consultant to assist in the preparation for trial and provide trial testimony, from account (s) deemed appropriate by the Finance Office.

Adjourned at 9:25 a.m., to meet on Thursday, February 1, 2001, at 9:00 a.m.

William F. Crosby
Secretary

Record of the Three Thousand Nine Hundred and Sixty Ninth (3969th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 1, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 18, 2001 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Machado and Carrigan, January 16, recommending the following on Contract No. P99-2018-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repair/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the MDC –
(a) That work be accepted as completed as of October 30, 2000.
(b) That Estimate No. 9 (Final), in the amount of $464.45, be approved for payment.
(c) That reserve, in the amount of $24.45, be approved for payment.
(Basis of Award - $625,812.48)
(Amount to Date - $748,694.05)
(Contract Performance Rating – 4.00)
(EEO Compliance – 4.33)
The Commission V O T E D: that the work of D & R General Contracting, Inc./MDR Construction Company, Inc., Contractor under Contract No. P99-2018-C1A, be and hereby is accepted as completed as of October 30, 2000.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of $464.45, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $24.45, for payment.

2. Report of Messrs. Faucher and Griffin, January 26, recommending approval of an extension of time from March 10, 2001 to April 30, 2001 on Contract No. P00-2045-C1A, with N.E.L. Corporation, for Repair of Craigie Drawbridge, Boston, due to need to recast Center Lock Assemblies.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from March 10, 2001 to April 30, 2001, as recommended by Messrs. Faucher and Griffin in their report of January 26, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Mr. Faucher and Ms. Pomorska, January 23, on bids for Improvement and Refurbishment of Hydrocell Crash Cushions, Contract No. P01-2089-M1A.
(Mr. Faucher and Ms. Pomorska recommend acceptance of the lowest bid received, that of N.E. L. Corporation of $121,700.00).

Mr. Faucher and Ms. Pomorska further request execution of the Contract by the Commission.
The Commission V O T E D: to accept the lowest bid received, that of N.E. L. Corporation of $121,700.00.
The Secretary then submitted for signature Contract No. P01-2089-M1A, dated February 1, 2001, with. N.E. L. Corporation, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, January 23, recommending approval of a revision in quantities on Item No. T-022-004 – Beach Sand, at a cost of $6,500.00 and ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 8 – Installation of a Tide Gate – at a cost of $2,441.61 and Extra Work Order No. 9 – Relocation of the Existing Electrical Pump Control Box for the Dorchester Yacht Club Sewerage Injection Tank - at a cost of $3,833.10 on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program.
(At no increase in Contract cost as the revision in quantities and Extra Work Order Nos. 8 and 9 will be offset by unused quantities in Item No. S-020-002).
The Commission V O T E D: to approve a revision in quantities on Item No. T-022-004 – Beach Sand, at a cost of $6,500.00.
The Commission further V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 8 and Extra Work Order No. 9, on Contract No. P95-1804-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $2,441.61.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $3,833.10.

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, January 26, recommending approval of Alteration No. 1 – for Attaching Joists to the Existing Stringers and to Replace Deteriorated Decking With New Material - at a cost of $12,659.65 – Funding from Account No. 2440-8889 and ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 2 – for an Electrician to Travel to Georges Island to Test Electrical Motor for the Hoist System – at a cost of $2,002.00. Funding from reduction in quantities approved by the Commission November 30, 2000 and Extra Work Orders No. 3 – for Replacement of Steel Beam and Substitute Cable at a cost of $14,500.75. Funding from Account No. 2440-0031, on Contract No. P97-1881-C2A, with A.G.M. Marine Contractors for Boston Harbor Islands Pier Repair.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $12,659.65.
The Commission further V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order Nos. 2 and 3 on Contract No. P97-1881-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $2,002.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $14,500.75.

1. Report of Messrs. Faucher, Machado and O'Leary, January 18, recommending the following on Contract No. P99-2017-C1A, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District –
(a) That work be accepted as completed as of October 31.2000.
(b) That Estimate No. 10 (Final), in the amount of $35,135.93, be approved for payment.
(c) That reserve, in the amount of $1,849.26, be approved for payment.
(Basis of Award - $1,723,185.84)
(Amount to Date - $2,067,546.77)
(Contract Performance Rating – 3.50)
(EEO Compliance – 3.83)
The Commission V O T E D: that the work of D & R General Contracting, Inc./MDR Construction Co., Inc., Contractor under Contract No. P99-2017-C1A, be and hereby is accepted as completed as of October 31, 2000.
The Commission further V O T E D: to approve Estimate No. 10 (Final), in the amount of $35,135.93, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,849.26 for payment.

2. Report of Messrs. Faucher and Lenhardt, January 19, requesting approval of Extra Work Order No. 6 – for Realigning an Existing MHD Drain Line Outfall Buried in the Embankment – at a cost of $8,190.00, on Contract No. PL97-044-C1A with WES Construction Corp., for Pope John Paul II Park – Phase I, Neponset River Reservation.
(At no additional Contract cost, as there is sufficient credit under Alteration No. 2 to fund the Extra Work Order).
The Commission V O T E D: to approve Extra Work Order No. 6, in the amount of $8,190.00.

Action was taken upon the following Various Matters:

3. Report of Mrs. Overton Bussell and Mr. Murphy, January 25, on proposals for Engineering Services to Complete a Comprehensive Spill Prevention Control and Countermeasure Plan for the Amelia Earhart Dam as part of the Clean State Compliance Program, Contract No. CS-CH55-X3A.
(Mrs. Overton Bussell and Mr. Murphy request award of the Contract to the lowest bidder, CDW Consultants, Inc., at a cost not to exceed $5,000.00).
Time for Performance – estimated at two months.
Account No. 2440-4994.
The Commission V O T E D: to award Contract No. CS-CH55-X3A. for Engineering Services to Complete a Comprehensive Spill Prevention Control and Countermeasure Plan for the Amelia Earhart Dam as part of the Clean State Compliance Program, to the lowest bidder, CDW Consultants, Inc., at a cost not to exceed $5,000.00.

4. Report of Mr. Jewett, January 30, requesting approval of the selection of Tighe & Bond Consulting Engineers, for Contract No. P00-2065-D2A, for Licensed Site Professional Services for Various MDC Contaminated Sites.

The cost of the services will be in an amount not-to-exceed $90,000.00 and shall be paid on a predetermined rate schedule.
Time for Performance – estimated at one year from notice to proceed.
Account No. 2440-4994.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of January 30, 2001.

Adjourned at 9:50 a.m., to meet on Thursday, February 8, 2001, at 9:00 a.m.

William J.
Secretary

Record of the Three Thousand Nine Hundred and Seventieth (3970th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 8, 2000.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on January 25, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Mrs. Graves Jones, January 30, recommending approval of a revision in quantities, on Item No. 014-010-Traffic Signal Wire-T.F.F. #18- at a cost of $1,200.00, on Contract No. P00-2032-MIA, with Coviello Electric & General Contracting Co. Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts. (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 013-010-Storage Room and Engineers' Office).
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Ms. Pomorska, January 29, recommending approval of revisions in quantities on Contract No. P00-2033-MIA, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts, as follows-

Item No. 010-010 – Traffic Signal Metal Base Ortag.	$ 840.00
Item No. 015-010- Traffic Signal Wire (T.F.F. #18)	375.00
Total	$1,215.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010- Materials, Components, Parts and Controls).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Misslin, Brooks and Balicki, February 5, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P01-2121-CIA, for Repairs to #4 Engine, Charles River Dam.
Estimated Cost - $175,000.00
Time for Performance – Estimated at six months.
Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2121-CIA, for Repairs to #4 Engine, Charles River Dam.

4. Report of Messrs. Faucher, Brooks and Balicki, February 2, on bids to Waterblast, Patch, Paint and Caulk Swimming Pools at Various Locations, Contract No. P01-2111-C1A.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of B.S.A. Painting Co., Inc., of $215,668.25).

The Commission V O T E D: to accept the lowest bid received, that of B.S.A. Painting Co., Inc., of $215,668.25.

1. Report of Messrs. Faucher, Brooks and Martinez, February 2, on bids for Miscellaneous Structural Repairs at Various Pools, Contract No. P01-2113-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of J. D'Amico, Inc., of $72,495.00).
The Commission V O T E D: to accept the lowest bid received, that of J. D'Amico, Inc., of $72,495.00.

2. Report of Messrs. Faucher, Misslin, Brooks and Balicki, February 7, requesting permission to cancel the advertisement for bids, as authorized by the Commission at the Meeting of December 21, 2000, on Contract No. P01-2112-C1A, for New Swimming Pool Filter Systems, Reilly Pool, Cleveland Circle, Brighton, due to a revision in the scope of work, and authorize a new advertisement for bids for Contract No.P01-2112-C2A, for New Swimming Pool Filter Systems, Reilly Pool, Cleveland Circle, Brighton.
Associate Commissioner Carr asked whether the opening of the pool would be delayed by readvertising the project.
Mr. Brooks responded that with Commission approval today, the pool should still be opened as scheduled.
The Commission V O T E D: permission to cancel the advertisement for bids, as authorized by the Commission at the Meeting of December 21, 2000, on Contract No. P01-2112-C1A, for New Swimming Pool Filter Systems, Reilly Pool, Cleveland Circle, Brighton, due to a revision in the scope of work.
The Commission further V O T E D: to authorize a new advertisement for bids for Contract No.P01-2112-C2A, for New Swimming Pool Filter Systems, Reilly Pool, Cleveland Circle, Brighton, as requested by Messrs. Faucher, Misslin, Brooks and Balicki, in their report of February 7, 2001.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Pula, February 1, on proposals for the tapping of sugar maple trees located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Shattuck Sugar House, of $271.80; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot No.100 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $208.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot No. 101 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $130.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot No. 102 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $172.00; allowing 491 taps of 202 sugar maple trees on Sugar Maple Lot No. 103 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $176.49; allowing 420 taps of 312 sugar maple trees on Sugar Maple Lot No. 104 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $101.05; allowing 235 taps of 175 sugar maple trees on Sugar Maple Lot No. 105 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Joe Raskett, of $84.00; allowing 279 taps of 171 sugar maple trees on Sugar Maple Lot No. 107 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Francis Misuik, of $70.00; allowing 210 taps of 147 sugar maple trees on Sugar Maple Lot No. 108 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $220.00; allowing 611 taps of 449 sugar maple trees on Sugar Maple Lot No. 109 – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $196.00; allowing 444 taps of 334 sugar maple trees on Sugar Maple Lot No. 110 – Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Baratta, February 1, requesting that the Commission amend its vote of December 21, 2000, on Contract No. WM95-061-DIA, with Weston and Sampson Engineers, Inc., for Fast Track Sewer Design, Holden, West Boylston Sewer Project, by adjusting the final Contract value to read $810,091.45 rather than $802,339.24, due to a correction in billing.

The Commission V O T E D: to amend its vote of December 21, 2000, on Contract No. WM95-061-DIA, with Weston and Sampson Engineers, Inc., for Fast Track Sewer Design, Holden, West Boylston Sewer Project, by adjusting the final Contract value to read $810,091.45 rather than $802,339.24, due to a correction in billing.

Action was taken upon the following Various Matters:

2. Report of Mrs. O'Brien, February 1, submitting for approval and requesting authorization for Commissioner Balfour to execute on behalf of the Commission a Maintenance Agreement between the MDC and Intercontinental Fund II to maintain the existing MDC park at Commercial Street, Boston and the proposed Portal Park, Causeway Street, to be constructed by the Central Artery/Tunnel Project.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Maintenance Agreement between the MDC and Intercontinental Fund II to maintain the existing MDC park at Commercial Street, Boston and the proposed Portal Park, Causeway Street, to be constructed by the Central Artery/Tunnel Project

3. Report of Mr. Jewett, February 2, requesting approval of Amendment No. 1, to Contract No. P00-2065-D2A, with Tighe and Bond Consulting Engineers, for Licensed Site Professional

Services for Various MDC Contaminated Sites, which provides LSP services at Former Bacon Property. Saugus, C & J Realty Trust, Dorchester and Schlager Property, Dorchester.
(Estimated cost is $30,000.00, paid pursuant to a predetermined rate schedule. The amendment increases the contract value from $90,000.00 to $120,000.00).
Funding from Account No. 2440-4994.
The Commission V O T E D: Approved.

Adjourned at 9:25 a.m., to meet on Thursday, February 15, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Seventy First (3971st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, February 15, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on February 1, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Soroka, February 7, recommending approval of revisions in quantities on Contract No. P99-1988-C1A, with MRP Site Development, Inc., for Santilli Circle Safety Improvements, Everett, as follows –

Item No. 129-000 Bit. Conc. Cold Plane	$ 686.50
Item No. 402-100 Dense Graded Stone	**$ 65,000.00**
Item No. 460-000 Class I Bit. Concrete Pavement Type I-1	**$ 35,295.30**
Item No. 504-000 Granite Curb Type VA4-Straight	**$ 50,370.00**
Item No. 622-100 Steel Beam Hwy. Guardrail-Straight	**$ 1,995.00**
Item No. 701-000 Concrete Sidewalk	**$ 24,920.00**
Item No. 804-300 (3) Inch Electrical Conduit Plastic	**$ 1,050.00**
Item No. 804-400 (4) Inch Electrical Conduit Plastic	**$ 24,975.00**
Item No. 804-430 (4) Inch Electrical Conduit Double	**$ 2,500.00**
Item No. 811-270 Electrical Handhole	**$ 7,500.00**
Item No. 821-010 Street Light Standard Single Luminaire	**$ 27,000.00**
Item No. 854-014 Temporary Pavement Markings 4 Inch	$ 700.00
Item No.999-300 Traffic Control Services	**$ 20,000.00**
	Total - $261,981.80

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 120-100, 121-000, 142-000, 144-000, 146-000, 150-000, 150-100, 151-000, 156-000, 180-200, 180-300, 181-100, 181-200, 181-300, 181-400,181-600,183-100, 183-200, 201-000, 204-000,

220-000, 220-200, 220-500, 222-010, 223-000, 223-100, 226-000, 238-120, 238-150, 241-120, 241-150, 258-100, 391-000, 392-000, 440-000, 443-000 and 702-000).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Brooks and Ms. Pfetsch and Farina, January 4, requesting an increase in the design fee from $175,000.00 to $225,000.00, on Contract No. P97-1905-D1A, with Vollmer Associates, for Rehabilitation of the Thompson Center, Hyde Park, due to changes in the scope of work to meet the needs of the disabled.
Funds are available in Account No. 2441-8958.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Brooks and Ms. Pfetsch and Farina.

2. Report of Messrs. Faucher, Misslin and Brooks, February 12, on bid for Services and Repairs to all MDC Swimming Pools and Filtration Systems within the Metropolitan Parks System, Contract No. P01-2116-M1A.
(Messrs. Faucher, Misslin and Brooks recommend acceptance of the only bid received, that of Allied Weatherproofing Company, Inc., of $618,000.00).
Associate Commissioner Carr noting that this was the only bid received for this project asked that the Division continue to encourage other qualified contractors to bid on the swimming pool contracts.
Mr. Brooks stated that he would continue to seek other qualified contractors to bid on this work.
The Commission V O T E D: to accept the only bid received, that of Allied Weatherproofing Company, Inc., of $618,000.00.

3. Report of Messrs. Faucher, Misslin, Brooks and Balicki, February 12, requesting approval of revisions in quantities on Contract No. P00-2069-CIA, with All Star Inc., for Rehabilitation of Spring Cartridges and Installation of New Cylinders at the Charles River Dam, as follows-

Item No. 1.02B,d – Install Small Cartridge	$ 350.00
Item No. 1.02C,d – Install Large Cartridge	$2,000.00
Total -	$2,350.00

(The cost of the revisions is partially offset by unused quantities in Item No. 1.02.c, b – Rehabilitation of Large Cartridges - $1,400.00. The remaining $950.00 is available in Account No. 2440-8950).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, and DiPietro, February 1, recommending approval of an Amendment to Contract No. P95-1762-S1A, with the Army Corps of Engineers, for Nantasket Beach Sanding Study, which increases the upset limit by $20,000.00 from $134,000.00 to $154,000.00, for preparation of an environmental assessment of segment 2 at Nantasket Beach. The Army Corps of Engineers will also contribute 50 percent of the cost of the Amendment, in the sum of $20,000.00.
(Messrs. Faucher and DiPietro further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission).
Funding from Account Number 2440-8885.

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

1. Report of Messrs. Faucher and Lenhardt, February 13, on bids for Repairs to John J. Beades Drawbridge, Boston, Contract No. P99-1986-C2A.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest bid received, that of James A. Gross, Inc., of $6,111,450.00).
The award is contingent upon and subject to Mass Highway Department/MDC Memorandum of Agreement revisions and ISA approval by the Office of the State Controller and transfer of funds to the Commission.
The Commission V O T E D: to accept the lowest bid received, that of James A. Gross, Inc., of $6,111,450.00, as recommended by Messrs. Faucher and Lenhardt in their report of February 13, 2001 and contingent upon and subject to Mass Highway Department/MDC Memorandum of Agreement revisions and ISA approval by the Office of the State Controller and transfer of funds to the Commission.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Baratta, February 1, requesting that the Commission amend is vote of December 21, 2000, on Contract No. WM97-061-D2A, with Weston and Sampson Engineers, Inc., for Master Sewer Design, Holden, West Boylston Sewer Project, by adjusting the final Contract value to read $3,252,275.00 rather than $3,256,873.85, due to a correction in billing.
The Commission V O T E D: to amend is vote of December 21, 2000, on Contract No. WM97-061-D2A, with Weston and Sampson Engineers, Inc., for Master Sewer Design, Holden, West Boylston Sewer Project, by adjusting the final Contract value to read $3,252,275.00 rather than $3,256,873.85, as requested by Messrs. McGinn and Baratta in their report of February 1, 2001.

Action was taken upon the following matters relating to the Office of General Counsel:

3. Report of Mr. Gray and Mr. Collette, February 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 17.381 acres of land owned by Frank E. Groccia & Sons, Inc., located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $215,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 17.381 acres of land owned by Frank E. Groccia & Sons, Inc., located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Main Street-Route 70, more particularly bounded and described as follows:

Beginning at a point on the easterly line of the 1925 County Layout of Main Street-Route 70 at the northwesterly corner of a leased lot excluded from the land described herein, and shown as a 0.60 acre lot at the southwesterly corner of the premises herein being described on a recorded survey plan referenced at the conclusion of this description, said point being located N. 30E 29' 58" E., 187.75 feet from a Worcester County Highway bound lying 12.25 feet, as measured along a curve, from the northwesterly corner of land, formerly of Thomas S. & Barbara E. Thomson, now or formerly, of Warren W. Leach & Carol A. Stanton;

Thence	S. 59E 30' 00" E., 125.00 feet, by the excluded "leased lot", to a point at a corner;
Thence	S. 30E 29' 58" W., 219.85 feet, by the excluded "leased lot", to a point at land, now or formerly, of Leach & Stanton;
Thence	S. 50E 29' 10" E., 697.90 feet, partially by land, now or formerly, of Leach & Stanton, and partially by land formerly of Fred C. Stark, now or formerly, of Larry T. Lazoraitis et al, to an iron pipe in the line of stone wall remnants, at land formerly of Lauren Fuller, now or formerly, of Palmer W. Bigelow, Jr. et al;
Thence	N. 21E 08' 50" E., 165.00 feet by the remains of the wall and land, now or formerly, of Bigelow et al, to a point;
Thence	N. 53E 27' 10" E., 353.40 feet, by the remains of the wall and partially by land, now or formerly, of Bigelow et al, and partially by other land formerly of Fuller, now or formerly, of David W. & Judith A. Bottom, to a drill hole at an angle in a stone wall segment;

Thence N. 10E 48' 00" E., 456.72 feet, by and through the stone wall segment, and by land, now or formerly, of D.W. & J.A. Bottom, and other land formerly of Fuller, now or formerly, of Gerald K. & Rachel L. Jones, to a point at the southerly end of another wall segment;

Thence N. 16E 36' 20" E., 315.46 feet, by and through the stone wall segment, and by land, now or formerly, of G.K. & R. L. Jones, and other land formerly of Fuller, now or formerly, of Francis L. & Mary M. Griffin, to a point at the northeasterly corner of the parcel herein being described, and land formerly of Ellen & John C. Stark, now or formerly, of Catherine A. Hessinger;

Thence N. 54E 23' 40" W., 344.81 feet, by land, now or formerly, of C. A. Hessinger, to a corner at land, formerly of Walter D. Allen, Jr., now or formerly, of Herbert S. Ross;

Thence S. 25E 59' 40" W., 330.87 feet, by lands formerly of Walter D. Allen, Jr., of John C. Stark, Jr., and of Fred C. Stark respectively, now or formerly lands, of H. E. Ross, and of John C. Stark III, to a point at a corner;

Thence N. 62E 38' 30" W., 279.22 feet, by lands, now or formerly of J. C. Stark, Jr., and of Roy E. & Elsie I. Sjablad or Schoblad, to a point at land now or formerly, of Paul L. & Dorothy L. Schultz, as conveyed to them by Frank E. Groccia & Sons, Inc. in a deed dated January 25, 1960 and recorded with said Deeds at Book 4089, Page 219, which parcel is not depicted upon the plan cited below, nor upon Boylston Assessors Map 27;

Thence S. 26E 56' 17" W., 252.01 feet, by land, now or formerly, of P.L. & D.L. Schultz, to a corner;

Thence N. 62E 38' 30" W., 20.6 feet, by land, now or formerly, of Schultz, to a point at the southeasterly corner of land, formerly of Arthur Stark, now or formerly, of James L. Gallagher;

Thence N. 60E 08' 30" W., 94.39 feet, by land, now or formerly, of J. L. Gallagher, to a point in the easterly line of Main Street-Route 70;

Thence S. 30E 29' 58" W., 327.13 feet to the first mentioned point, being the place of beginning.

Containing 17.381 acres, more or less, and being the same property shown, with the exception of the 5191 square foot lot conveyed to Schultz as referenced above and the 0.60 acre excluded "leased lot", upon a plan entitled Land In Boylston, Mass. Surveyed For Frank E. Groccia &

Sons, Inc., dated May 1956, prepared by Charles A. Perkins Co., and recorded with Worcester District Registry of Deeds as Plan 37 in Plan Book 220.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Main Street-Route 70 which may be held by the supposed owner, as a result of its' ownership of the above described property, and being most of the same premises described in a deed from Fred C. Stark and Mary E. Stark to Frank E. Groccia & Sons, Inc., dated February 5, 1957 and recorded with Worcester District Registry of Deeds at Book 3841, Page 61.

The above-described property is represented upon the Revised Boylston Assessors Tax Maps, dated May 1997, as most of Parcel 26 on Map 28.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Frank E. Groccia & Sons, Inc.	$ 215,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $215,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

1. Report of Mr. Gray and Ms. McLaughlin, February 12, recommending that the Commission adopt an Order of Taking for acquisition of approximately 28.135 acres of land owned by Herbert F. Cronin and Astrid P. Cronin, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $ 145,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to an Order of Taking for acquisition of approximately 28.135 acres of land owned by Herbert F. Cronin and Astrid P. Cronin, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of the 1948 Worcester County Layout of Central Street at its junction with the 1953 Worcester County Record Layout of Central Street, between Linden and Cross Streets, in the said Town of Boylston, more particularly bounded and described as follows:

Beginning at a ¾ inch iron rod set in the southerly end of a stone wall, at a point in the northeasterly layout line of the 1953 Worcester County Record Layout of Central Street, said rod being located N. 24 42' 00" W., 11.26 feet from the Worcester County Highway bound marking the end of the 1948 Record Layout and the beginning of the 1953 Record Layout, said iron rod being at the southwesterly corner of the parcel herein being described, and at the southeasterly corner of land, now or formerly, of Salvatore & Constance A. Della Cioppa (see deed recorded with Worcester District Registry of Deeds at Book 13202, Page 244);

Thence N. 00° 55' 32" E., 28.43 feet, by the stone wall, to a drill hole found in the wall, at an angle therein;

Thence N. 42° 28' 34" E., 308.37 feet, by the stone wall, to an iron rod set at another angle in the wall;

Thence N. 79° 45' 34" E., 151.56 feet, by the wall, to another drill hole found at another angle in the wall;

Thence N. 00° 47' 18" W., 211.18 feet, by the stone wall, to a drill hole found;

Thence N. 01° 48' 39" W., 185.19 feet, by the stone wall, to another drill hole found, at land, now or formerly, of David J. & Linda M. Murphy (see deed recorded with

said Deeds at Book 17226, Page 121), the last five courses being by land, now or formerly, of S. & C.A. Della Cioppa;

Thence N. 42° 15' 32" E., 282.43 feet, by the easterly line of "Parcel A", as shown upon the plan referenced below, land recently conveyed to D.J.& L.M. Murphy by H.F.& A.P. Cronin (see deed dated 02/10/97, recorded with said Deeds at Book 18598, Page 201, see also the plan referenced therein recorded with said Deeds as Plan 82 in Plan Book 712), to a drill hole found;

Thence N. 27° 26' 24" E., 224.20 feet, by land, now or formerly, of D.J.& L.M. Murphy, to a stake found at the southeasterly corner of land, now or formerly, of Graham C. Dooley & Shannon L.T. Crosby-Dooley (see deed recorded with said Deeds at Book 13415, Page 273);

Thence On the same bearing, 343.38 feet, by land, now or formerly, of Dooley & Crosby-Dooley, to a drill hole found at a corner in a stone wall, at land, now or formerly, of Steven E. & Catherine M. Phillips (see deed recorded with said Deeds at Book 15639, Page 349), and of land, formerly of Mount Pleasant Country Club, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 6/10/98 recorded with said Deeds at Book 20157, Page 122);

Thence N. 49° 56' 15" E., 48.32 feet, to a point at the end of a stone wall;

Thence N. 42° 54' 03" E., 210.90 feet, by the stone wall, to a point;

Thence N. 44° 26' 08" E., 140.75 feet, by the stone wall, to a point;

Thence N. 43° 49' 40" E., 194.33 feet, by the stone wall, to a point;

Thence N. 43° 30' 37" E., 248.44 feet, by the stone wall, to a drill hole set in a corner of the wall;

Thence S. 51° 33' 23" E., 171.60 feet, by and through the stone wall and crossing a brook to an MDC concrete bound set;

Thence S. 06° 09' 13" W., 147.54 feet, to a point at the end of another stone wall;

Thence S. 04° 52' 00" W., 277.41 feet, by the stone wall, to a point;

Thence S. 06° 30' 10" W., 309.64 feet, by the stone wall, to a drill hole set, at land, now or formerly, of Owen W., Jr. & Nancy I. Kennedy (see deed recorded with said Deeds at Book 3769, Page 523), the last nine courses being by land formerly of

Mount Pleasant Country Club, now of the Commonwealth of Massachusetts, MDC;

Thence S. 14° 35' 48" W., 220.92 feet, by the stone wall, to a point;

Thence S. 12° 10' 53" W., 135.68 feet, by the stone wall, to a drill hole set in a corner of walls, at land, now or formerly, of Owen W. & Madeline B. Kennedy (see deed recorded with said Deeds at Book 2949, Page 382), the last two courses being by land, now or formerly, of O.W., Jr. & N.I. Kennedy;

Thence S. 84° 48' 18" W., 86.77 feet, by the stone wall, to a point at a corner of walls;

Thence S. 82° 45' 42" W., 50.08 feet, from the corner and re-crossing the brook, to a point at the end of another stone wall;

Thence S. 85° 36' 35" W., 43.80 feet, by the stone wall, to a point;

Thence S. 64° 08' 11" W., 70.84 feet, by the stone wall, to a point;

Thence S. 54° 55' 17" W., 36.63 feet, by the stone wall, to a point;

Thence S. 43° 58' 19" W., 158.67 feet, by the stone wall, to a drill hole set in a wall corner, at other land, now or formerly, of Madeline B. & Owen W. Kennedy (see deed recorded with said Deeds at Book 2407, Page 41), the last six courses being by land, now or formerly, of O.W. & M.B. Kennedy;

Thence S. 03° 51' 00" W., 562.47 feet, by land, now or formerly, of M.B. & O.W. Kennedy, to a drill hole set in the continuation of the stone wall previously mentioned, at land, now or formerly, of Owen W. Kennedy (see deed recorded with said Deeds at Book 2262, Page 79);

Thence S. 08° 21' 29" W., 16.72 feet, by the stone wall and land, now or formerly, of O.W. Kennedy, to another drill hole set in a corner of walls, at land, now or formerly, of John R. & Laurie B. Knorr (see deed recorded with said Deeds at Book 16356, Page 334);

Thence S. 83° 54' 20" W., 104.03 feet, crossing a gap in the wall, to a point at the end of another wall segment;

Thence S. 85° 53' 43" W., 94.43 feet, by the wall segment, to a point at its southwesterly end;

Thence S. 84° 39' 15" W., 90.21 feet, crossing a gap in the wall and running by its continuation, to a drill hole set in a wall corner, said corner being the

northeasterly corner of other land, now or formerly of Herbert F. & Astrid P. Cronin, specifically excluded from the provisions of this order, and shown as "Lot 1" upon the plan cited below;

Thence N. 52° 06' 55" W., 253.31 feet, by the northerly line of Lot 1, to a ¾ inch iron rod set at a corner;

Thence S. 45° 59' 36" W., 480.71 feet, by the westerly line of Lot 1, to another ¾ inch iron rod set at an angle in the line;

Thence S. 00° 55' 32" W., 47.35 feet, by Lot 1, crossing the driveway to the existing residence on said excluded lot, to yet another ¾ inch iron rod set at a point in the northerly line of the 1948 Worcester County Record Layout of Central Street;

Thence Northwesterly, by the Record Layout, along the arc of a curve to the right, having a radius of 770.00 feet, an arc distance of 188.74 feet, to the Worcester County Highway bound marking the terminus of the 1948 Record Layout;

Thence N. 24° 42' 00" W., 11.26 feet, by the northerly line of the 1953 Worcester County Record Layout of Central Street, to the first mentioned drill hole set in the southerly end of the stone wall, being the point and place of beginning.

Containing 28.135 acres, as shown as "Lot 2" upon a survey plan entitled "Plan Of Land In Boylston, MA Surveyed For Herbert F. & Astrid P. Cronin, For Conveyance To The Metropolitan District Commission", dated September 11, 1999 and prepared by Gary D. Lanpher, Jr., P.L.S., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

ALSO reserved to the supposed owners, their heirs and assigns, in addition to Lot 1, is the right to continue to use, maintain and improve that portion of the existing driveway, serving the residence on Lot 1, which crosses the southwesterly corner of Lot 2, the land herein taken in fee. This driveway reservation is intended to run with Lot 1 in perpetuity. The location of this driveway reservation is shown upon the plan cited above. It is agreed that said reserved driveway right of way may be relocated, revised or reconfigured by agreement between Herbert F. Cronin and Astrid P. Cronin, their heirs, assigns, and successors, and the Director of the Division of Watershed Management of the Metropolitan District Commission, or his/her successor at law, so long as the relocation, revision or reconfiguration does not increase the area of land encumbered by said reserved easement.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being most of the same premises described in a deed from Ruth E. Olson to Herbert F. Cronin and Astrid P. Cronin, dated March 29, 1995 and recorded with Worcester District Registry of Deeds at Book 16949, Page 144.

The above described property is represented upon the Revised Boylston Assessors Tax Maps, dated May 1997, as most of Parcel 17 on Map 37.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Herbert F. Cronin and Astrid P. Cronin	$ 145,000.00

The Commission further VOTED: to approve an award of damages in the amount of $145,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

Adjourned at 9:30 a.m., to meet on Thursday, March 1, 2001, at 9:00 a.m.

William J.
Secretary

Record of the Three Thousand Nine Hundred and Seventy Second (3972nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 1, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on February 8, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed the Commissioner and four Associate Commissioners:

1. Contract No. P01-2116-M1A, dated March 1, 2001, with Allied Weatherproofing Company, Inc., for Services and Repairs to all MDC Swimming Pools and Filtration Systems within the Metropolitan Parks System.

2. Contract No. P01-2111-C1A, dated March 1, 2001, with B.S.A. Painting Co., Inc., to Waterblast, Patch, Paint and Caulk Swimming Pools at Various Locations.

The Secretary then submitted for signature the following paper which was signed by the four Associate Commissioners:

3. Contract No. P99-1986-C2A, dated March 1, 2001, with James A. Gross, Inc., for Repairs to John J. Beades Drawbridge, Boston.
Associate Commissioner Carr noted that the Commission vote of February 15, 2001 read as follows – "to accept the lowest bid received, that of James A. Gross, Inc., of $6,111,450.00, contingent upon and subject to Mass Highway Department/MDC Memorandum of Agreement revisions and ISA approval by the Office of the State Controller and transfer of funds to the Commission".
He then asked if the ISA had been approved by the Controller.
Mr. Jewett responded that as of yesterday afternoon it had not been approved by the Controller.
Associate Commissioner Carr noting the importance of the Contract and the need to start the project as soon as possible suggested that the Associate Commissioners sign the Contract and that the Commissioner hold off on signing until such time as he has been assured that the ISA had been approved by the Controller.
The Commissioner and all the Associate Commissioners agreed to Associate Commissioner Carr's suggestion.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Mrs. Overton Bussell and Messrs. Faucher and DiRamio, February 21, recommending approval of Alteration No. 6 for Item No. 001-050 – for MBTA Power and Signal and Communication Work and Weekend Diversion Bussing, Force Account, at an increase in cost of $45,037.50, on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston.

At no increase in Contract cost as the Alteration will be offset by unused quantities in Item Nos.001-040, 002-190, 002-210, 002-260, 002-270, 002-400, 003-010, 004-010, 004-020, 004-060, 005-040, 005-090, 005-130, 005-150, 005-161, 005-180, 005-190, 006-010, 006-070, 007-030, 007-070, 007-080, 008-040, 008-050, 008-060, 008-070, 008-160, 009-010, 010-170, 010-200, 010-210, 010-340, 011-020, 011-030, 011-050, 011-060, 011-130, 012-050, 013-080 and 013-090.
The Commission V O T E D: to approve Alteration No. 6 for Item No. 001-050, in the amount of $45,037.50, as recommended by Mrs. Overton Bussell and Messrs. Faucher and DiRamio in their report of February 21, 2001.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, February 14, requesting approval of revisions in quantities on Contract No. P97-1881-C2A, with A.G.M. Marine Contractors, Inc., for Boston Harbor Islands Pier Repair Project, as follows –

ITEM NO.	**DESCRIPTION**	**INCREASE**	**DECREASE** *(Credit to the Commission)*
02110-4.2.A	– Timber Removal	$ 1,336.50	
02311-4.2.C	– Bearing Piles	$12,000.00	
06130-4.2.A	– Hoist Framing	$ 2,880.00	
06130-.2.C	*- Cross Bracing*		*$ 681.31*
06130.4.2.D	*– Batter Pile Recon.*		*$4,200.00*
06130-.2.E	- Timber Recon-Low	$ 1,875.00	
06130-.2.F	- Timber Recon-High	$ 1,170.00	
06130-2.G	*- Timber Install-Low*		*$1,136.63*
06130-2.H	- Timber Install- High	$ 3,169.98	
06130-.2.J	*- Handrail Install*		*$ 60.00*
06130-.2.K	- Fender Pile Recon	$ 2,970.00	
	TOTAL OF REVISIONS	**$25,401.48** -	***$6,077.94*** **= $19,323.54**

(The cost will be partially offset by a contract surplus of $3,088.00. The remaining funds are available in Account No. 2440-8889).
The Commission V O T E D: Approved as recommended by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of February 14, 2001.

2. Report of Messrs. Faucher, Carrigan and Machado, February 26, recommending approval of revisions in quantities on Contract No. P99-2019-CIA, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.

Item No. 091-010- New Railing Installed	$18,900.00
Item No. 091-020-New Posts	$20,429.56
Total	$39,329.56

(At no increase in contract cost as the revisions will be offset by unused quantities in Item Nos. 003-010, 011-010, 016-010, 035-010, 036-020, 040-010, 041-010, 044-010, 046-010, 046-020, 047-010, 050-010, 051-010, 052-010, 054-010, 056-010, 057-020, 058-010, 063-010, 068-010, 070-010, 072-010, 073-010, 079-010, 080-010, 083-010, 084-010, 084-020, 085-010, 086-010 and 089-010).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Martinez, February 21, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P01-2122-C1A, for Demolition of the Maintenance and Sanitary Buildings at Breakheart Reservation, Saugus.
Estimated Cost - $70,000.00.
Time for Performance – three weeks.
Account No. 2440-7991.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2122-C1A, for Demolition of the Maintenance and Sanitary Buildings at Breakheart Reservation, Saugus.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, January 17, requesting approval and execution of Amendment No. 3 to Contract No. WM96-011-S1A, with GEI Consultants, Inc., for Follow-up Investigation, Winsor Dam, Ware/Belchertown, which increases the upset limit in the amount of $6,396.96, for Additional Underwater Inspection and Associated Costs.
Funding from Account No. 2420-7882.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated March 1, 2001, to Contract No. WM96-011-S1A, with GEI Consultants, Inc., Amendment No. 3 to Contract No. WM96-011-S1A, with GEI Consultants, Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. McGinn and Kane, January 2, recommending the following on Contract No. WM00-002-CIA, with Green Environmental, Inc., for Upgrade of Fuel Dispensing Facilities, Clinton, Southborough and West Boylston.
(a) That work be accepted as completed as of December 30, 2000.
(b) That reserve, in the amount of $1,125.00, be approved for payment.
(Basis of Award -$24,375.00).
(Amount to Date -$22,500.00).
(Contract Performance Rating – 4.00)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Green Environmental, Inc., Contractor under Contract No. WM00-002-C1A, be and hereby is accepted as completed as of December 30, 2000.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,125.00, for payment.

4. Report of Messrs. McGinn and Zimmerman, February 23, submitting for approval the Fiscal Year 2002 Technical Assistance Grant Awards with nine (9) watershed communities, as follows –

TOWN	TYPE OF PROJECT	GRANT AMOUNT
Petersham	Master Plan and Open Space Plan	$ 35,000.00
Shutesbury	Master Plan and Zoning Changes	$ 25,000.00
Wendell	Wastewater Planning	$ 25,000.00
New Salem	Municipal Septic System Evaluation/Design	$ 5,000.00
Holden	Unified Stormwater Regulation Development	$ 15,000.00
Sterling	Open Space and Recreation Plan	$ 6,000.00
Paxton	Open Space and Recreation Plan	$ 5,000.00
West Boylston	Comprehensive Plan	$ 10,000.00
Rutland	Contract for a Planning Agent to Assist in Implementation of Master Plan	$ 25,000.00
	Total MDC Grants	**$151,000.00**

Time for Performance – from July 1, 2001 to June 30, 2002.
Account No. 2420-1400.
The Commission VOTED: to approve the Fiscal Year 2002 Technical Assistance Grant Awards with nine (9) watershed communities, as submitted by Messrs. McGinn and Zimmerman in their report of February 23, 2001.

Action was taken upon the following matter relating to the Office of General Counsel:

1. Report of Mr. Gray, February 12, submitting for approval expenditure of $450,000.00, in Open Order Contract No. GC01-2002, Watershed Land Acquisition Program – FY2001 –2002, for Appraisals, Title Examination and Related Costs, related to the preparation of watershed lands for acquisition and all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended.
Account No. 2421-9936.
The Commission VOTED: Approved as recommended by Mr. Gray in his report of February 12, 2001.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, February 16, recommending award of the following seven (7) Contract-Agreements for Open Order Contract No. GC01-2002, for Professional Real Estate Appraisal Services (Watershed Land Acquisition Program FY2001-2002 –

NAME	VALUE	ASSIGNMENTS
Reynolds Company 304 Victory Road Quincy, MA 02171-3122	$70,625.00	15
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	$66,400.00	16

NAME	VALUE	ASSIGNMENTS (Con.-)
O'Connor Real Estate Associates, Inc. 48 Franklin St. P.O. Box 1211 Westfield, MA 01086-1211	$40,000.00	15
E.W.H. Anderson Real Estate Valuation & Preservation 6 Beacon Street Boston, MA 02108 20 Dana Road Petersham, MA 01366	$48,500.00	15
Foster Appraisal & Consulting Company, Inc. 100 Erdman Way Leominster, MA 01453	$69,300.00	15
G & M Valuation 10 Marigold Avenue Wellesley, MA 02482	$19,900.00	6
Steven C. Byrnes 500 West Boylston Street Worcester, MA 01606	$22,850.00	8

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

1. Report of Mrs. O'Brien and Mr. Driscoll, February 22, requesting approval and authorization to advertise Project No. PL01-068-D1A, for Alewife Reservation Master Plan.
Estimated Cost - $175,000.00.
Time for Performance – between twelve and twenty four months.
Funding from Account Nos. 2448-0069 - $100,000.00 and 2440-0010 - $75,000.00.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL01-068-D1A, for Alewife Reservation Master Plan

Adjourned at 9:40 a.m., to meet on Thursday, March 8, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Seventy Third (3973rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 8, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

1. **PUBLIC HEARING: 9:00 A.M.**

Proposed Regulation Changes to –

350 CMR 2.00 Government and Use of Reservations and Parkways Under the Care and Control of the MDC

350 CMR 5.00 Parking and Penalties Therefore

350 CMR 14.00 Fees, Licenses, Permits, Rents, Leases, and Other

At this point, in accordance with Chapter 30A of the General Laws, the Public Hearing was opened.
It was noted by the Secretary, that the notice of the Public Hearing was published in required newspapers. He stated that all other provisions of Executive Order 145 were complied with in a timely manner.
Herbert Holley, President of the Friends of the Middlesex Fells, spoke in support of the new Regulations. He then expressed his concern regarding certain activities in the Reservation and in particular illegal mountain biking.
The Secretary then read a letter from Kevin Maloney, Transportation Chair for the Fenway Civic Association, in which Mr. Maloney expressed the strong support of the Fenway Civic Association for the proposed revisions to the Regulations.
Following a discussion concerning the new Regulations, the Public Hearing adjourned and the Commission returned to the scheduled Agenda.

The Records of the Commission Meeting held on February 15, 2001, were read and approved.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, February 13, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1731, conveying Lot No. S.W. ½ of A-72, to Anne M. Carroll.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1731, dated March 8, 2001, which was signed by the Acting Commissioner and three Associate Commissioners.

1. Report of Messrs. McGinn and Baratta, February 21, requesting approval of an extension of time from April 29, 2001 to November 15, 2001 on Contract No. WM98-061-C1A (97-5W), with FED Corporation, for Phase III Sewer Contract – West Boylston – Prospect Street/Shrine. (At no increase in Contract cost).
The Commission V O T E D: to approve of an extension of time from April 29, 2001 to November 15, 2001, as requested by Messrs. McGinn and Baratta in their report of February 21, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, February 22, recommending approval of the second one year option for renewal of the Contract with Michael Wortis, d/b/a, MFW, Inc., for Professional Golf Services at the Leo J. Martin Golf Course, with compensation to the Commission in the amount of $61,760.00 at the rate of $5,142.50 per month for twelve months, effective March 25, 2001 through March 24, 2002.
Mr. Doak further requests authorization for Commissioner Balfour to execute the option Agreement on behalf of the Commission.
The Commission V O T E D: to approve the second one year option for renewal of the Contract with Michael Wortis, d/b/a, MFW, Inc., for Professional Golf Services at the Leo J. Martin Golf Course, as recommended by Mr. Doak in his report of February 22, 2001.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the option Agreement on behalf of the Commission.

3. Report of Mr. Doak, February 22, recommending approval of the second one year option for renewal of the Contract with Kenneth Campbell, for Professional Golf Services at the Ponkapoag Golf Course, with compensation to the Commission in the amount of $49,610.04 at the rate of $4,134.17 per month for twelve months, effective March 25, 2001 through March 24, 2002.
Mr. Doak further requests authorization for Commissioner Balfour to execute the option Agreement on behalf of the Commission.
The Commission V O T E D: to approve of the second one year option for renewal of the Contract with Kenneth Campbell, for Professional Golf Services at the Ponkapoag Golf Course, as recommended by Mr. Doak in his report of February 22, 2001.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the option Agreement on behalf of the Commission.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Action was taken upon the following matter relating to the Office of Planning:

4. Report of Mrs. O'Brien and Mr. Driscoll, March 1, submitting for approval and requesting authorization for Commissioner Balfour to execute Maintenance Agreements with Boston Scientific Corporation, Dan's Chocolates and Sasaki Associates, Inc., for care of certain sections of the Charles River Reservation in Watertown.

(Mrs. O'Brien and Mr. Driscoll further request that the Commission issue a "Certificate of Appreciation" to each of the businesses in recognition of their generosity and stewardship of our public lands).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute Maintenance Agreements, dated March 8, 2001, with Boston Scientific Corporation, Dan's Chocolates and Sasaki Associates, Inc., for care of certain sections of the Charles River Reservation in Watertown.
The Commission further V O T E D: that the Commission issue a "Certificate of Appreciation" to each of the businesses in recognition of their generosity and stewardship of our public lands.

Adjourned at 9:35 a.m., to meet on Thursday, March 15, 2001, at 9:00 a.m.

Julia B. O'Brien
Secretary for

Record of the Three Thousand Nine Hundred and Seventy Fourth (3974th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 15, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 1, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed the Commissioner and four Associate Commissioners:

1. Contract No. P99-2008-C2A, dated March 15, 2001, with Patrick J. Kennedy & Sons, Inc., for Replacement of and New DHW Heating System, MDC Headquarters Building, Boston.

2. Contract No. P00-2104-C1A, dated March 15, 2001, with R. Zoppo Corp., for Tidal Gate Repairs, Blacks Creek/Greenberg Bridge, Quincy.

Action was taken upon the following matter relating to the Office of General Counsel:

3. Report of Mr. Gray, March 12, recommending that the Commission declare surplus and transfer in accordance with the provisions of Chapter 841 of the Acts of 1975, that certain parcel of land located on the westerly sideline of Ocean Avenue in the City of Revere and containing approximately 4.8 acres, to the City of Revere, for the purpose of urban development, and also ratify the surplus declaration and conditions set forth in the vote of the Commission of February 20, 1997, and declare surplus and transfer in accordance with the provisions of Chapter 351 of the Acts of 1996, that certain parcel of land located in the City of Revere and containing approximately 1.84 acres, to the City of Revere, for the purpose of constructing a public safety facility or recreational facility; and to further authorize such transfers in accordance with and subject to the terms and provisions of an Agreement by and between the City of Revere and the Commission, by duly approving and executing said Agreement.
At this point, Thomas G. Ambrosino, Mayor of the City of Revere, described elements of the Agreement. The Mayor expressed his appreciation of the Commission's willingness to work with the City on these properties, which promises to improve both the City of Revere and MDC holdings.
Associate Commissioner Rollins inquired if the Community was involved in the decision process.
Mayor Ambrosino stated that Community involvement was mandated by statute and he is personally committed to it.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 841 of the Acts of 1975, that certain parcel of land located on the westerly sideline of Ocean Avenue in the City of Revere and containing approximately 4.8 acres, to the City of Revere, for the purpose of urban development.
The Commission further V O T E D: to ratify the surplus declaration and conditions set forth in the vote of the Commission of February 20, 1997, and declare surplus and transfer in accordance with the provisions of Chapter 351 of the Acts of 1996, that certain parcel of land

located in the City of Revere and containing approximately 1.84 acres, to the City of Revere, for the purpose of constructing a public safety facility or recreational facility.
The Commission further V O T E D: to authorize such transfers in accordance with and subject to the terms and provisions of an Agreement by and between the City of Revere and the Commission, by duly approving and executing said Agreement.
The Secretary then submitted for signature Agreement, dated March 15, 2001, between the Metropolitan District Commission and the City of Revere, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, February 27, requesting approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 1 – for Patching the Concrete Deck on the Traffic Lanes Still In Use During Construction – at a cost of $3,958.00, on Contract No. P96-1819-C1A, with Boston Building & Bridge Corp., for Rehabilitation of Sweetser Bridges (Nos. 20 & 25), Everett.
Messrs. Faucher and Lenhardt further request approval of the transfer of the original contract funding from Account No. 2490-8910 to Account No. 2490-2001.
The Commission V O T E D: to approve action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 1, on Contract No. P96-1819-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $3,958.00.

2. Report of Messrs. Faucher and McCalla, March 8, on bids for Improvement of Street Lighting Systems on MDC Parkways and Roadways for FY2001 and FY2002, Contract No. P01-2094-C1A.
(Messrs. Faucher and McCalla recommend acceptance of the lowest bid received, that of Vigil Electric Company, Inc., of $245,300.00).
Funding for FY2001 is available in Account Nos. 2444-9005 and 2490-0017.
Funding for FY2002 is contingent upon sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: to accept the lowest bid received, that of Vigil Electric Company, Inc., of $245,300.00

3. Report of Messrs. Faucher and Soroka, March 7, recommending approval of the request of M.R.P. Site Development, Inc., general contractor, on Contract No. P99-1988-C1A, for Santilli Circle Safety Improvements, Everett, to engage the services of TJ Donohue Landscape Contractor, Inc., as sub-contractor for Furnishing and Installing Landscape Items, in the amount of $131,935.00.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Soroka in their report of March 7, 2001.

4. Report of Messrs. Faucher, Carrigan and Machado, March 7, requesting approval of the action of Deputy Commissioner Faucher resulting in Emergency Extra Work Order No. 1 – Storrow

Drive Tunnel Repairs – at a cost not to exceed $24,891.12, on Contract No. P00-2085-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area.
(At no additional contract cost as the Extra Work will be offset by unused quantities in Item No. 007-010 --Bituminous Concrete).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Emergency Extra Work Order No. 1, on Contract No. P00-2085-C1A.
The Commission further V O T E D: to approve Emergency Extra Work Order No. 1, in the amount of $24,891.12.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 9, recommending the following on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program -

REVISIONS IN QUANTITY

Item No. S-025-004	Haunched Concrete	$ 4,875.00
Item No. S-026-002	1" Copper Water Line	$ 1,875.00
Item No. S-030-001	Seawall	$ 3,300.00
Item No. S-034-004	Precast Concrete Cap	$ 3,700.00
		Total - $ 13,750.00

ALTERATION

Alteration No. 2 **$114,581.78**
Substitute a double haunched concrete walkway for the proposed cantilevered seawall section.

(At no additional contract cost as the Revisions in Quantity will be offset by unused quantities in Item No. S-020-002 – Borings at Seawall where unsuitable subsoil encountered; and Alteration No. 2 will be offset by the elimination of Item No. S-030-002 - Cantilevered Concrete Promenade and Seawall).
Mrs. Overton Bussell and Messrs. Faucher and Orfant further request approval of an extension of time from April 12, 2001 to November 20, 2001, for completion of landscape planting that might not be completed during the spring planting season.
The Commission V O T E D: to approve the Revisions in Quantities, in the amount of $13,750.00.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of $114,581.78.
The Commission further V O T E D: to approve an extension of time from April 12, 2001 to November 20, 2001, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of March 9, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, March 1, recommending the following on Contract No. WM95-061-C1A, with Roads, Inc., for Fast Track Sewer Construction, Holden & West Boylston –
(a) That work be accepted as completed as of July 1, 2000.
(b) That reserve (Estimate No. 36-Final Release of Retainage), in the amount of $19,999.50, be approved for payment.
(Basis of Award - $6,461,380.80)
(Total to Date - $7,422,094.68)
(Contract Administration Rating – 4.0 (on a scale of 1 to 5 with 5 being excellent)
(EEO Compliance – 4.33)
The Commission V O T E D: that the work of Roads, Inc., Contractor under Contract No. WM95-061-C1A, be and hereby is accepted as completed as of July 1, 2000.
The Commission further V O T E D: to approve release of reserve (Estimate No. 36-Final Release of Retainage), in the amount of $19,999.50, for payment.

2. Report of Messrs. McGinn, Church and Kyker-Snowman, March 8, requesting approval of Contract No. WM01-076-S1A, with Berkshire-Pioneer Resource Conservation and Development Area, Inc., for the completion of forest management plans on private lands throughout the MDC watersheds.
Cost not-to-exceed $15,000.00.
Time for Performance – March 15, 2001 through June 30, 2003.
Funding is available for each of three fiscal years, through the 2420-1400 Account.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of General Counsel:

3. Report of Mr. Gray and Mr. Collette, March 7, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13.6 acres of land owned by Norman Goodale, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $170,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 13.6 acres of land owned by Norman Goodale, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 16, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the

General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in the westerly part of the said Town of West Boylston, lying upon the northerly side of the county road from Holden to Oakdale, known as Laurel Street, between said street and the southeasterly layout line of Interstate Route 190, locally known as Raymond Huntington Highway, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel herein being described, at a stake and stones on the northerly line of Laurel Street, at land, formerly of William Morrow, later of Scott Antonio, late of William A. & Jean A. Jose and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 2/15/1996 as recorded with Worcester District Registry of Deeds at Book 17749, Page 190 and also Plan Book 549, Plan 65, more fully referenced below at the conclusion of this description);

Thence N. 01° 55' 58" W. 370.30 feet, by a stone wall and land, formerly of W.A. & J.A. Jose, to a point in a stone wall corner at the remains of an oak hub, said point being the northwesterly corner of this first named abutter, and the southwesterly corner of other land of the Commonwealth of Massachusetts, MDC, formerly of Elizabeth B. Naroian (see order of taking dated 2/08/1996 recorded with said Deeds at Book 17730, Page 384 and also Plan Book 636, Plan 79, more fully referenced below);

Thence N. 10° 42' 41" W., 63.49 feet, by the stone wall to a point in a wall corner;

Thence N. 61° 17' 03" E., 7.74 feet, by the wall, to a point in another wall corner;

Thence N. 11° 26' 47" W., 800.40 feet, by the wall, to a point on a chain link fence, marking the southeasterly line of other land of the Commonwealth of Massachusetts, Interstate-190, the last three courses being by land, formerly of E.B. Naroian, said point being located S. 37° 13' 39" W., 133.39 feet from a Massachusetts Highway bound found (see the Commonwealth of Massachusetts, Department of Public Works order of taking dated 9/05/1979 recorded with said Deeds at Book 6824, Page 354 and I-190 Layout No. 6305, sheet 3 of 12, in Plan Book 456, Plan 50);

Thence S. 23° 25' 13" W., 232.22 feet, by Interstate 190, to a point at an angle in the line;

Thence S. 49° 19' 37" W., 329.25 feet, by Interstate 190, to a point at another angle in the line;

Thence S. 64° 29' 58" W., 259.75 feet, by Interstate 190, to a point at another angle in the line;

Thence S. 32° 50' 57" W., 82.43 feet, by Interstate 190, to a point at the northwesterly corner of the property being described herein, and at the northeasterly corner of land, formerly of Janet L. Buck, later of Raymond J. & Janet B. Sansoucy, and, now or formerly, of Douglas E. Miller & Kirsten A. Weinoldt, H/W (see Land Court Document No. 39433, Certificate #10424, dated 11/10/1983, Registered December 1983, for Lot 7 on L.C. Plan No. 35272B, see also L.C. Plan 35272A Sheet 1 of 2);

Thence S. 10° 04' 09" E., 51.61 feet, by land, now or formerly, of D.E. Miller et ux, to a drill hole found in the northerly end of a stone wall, marking the property line between the parcel being described herein, and the abutter;

Thence S. 14° 04' 09" E., 304.26 feet, by the stone wall, and land, now or formerly, of Miller et ux, to another drill hole found;

Thence S. 21° 06' 18" E., 296.25 feet, by the stone wall, and land, now or formerly, of Miller et ux, to a point in the northerly line of Laurel Street, said point being located 364.81 feet northwesterly, as measured along the curve of the northerly line of the street, from a Worcester County Highway bound found in the frontage of the parcel being described herein;

Thence Northeasterly and southeasterly, 54 rods and 7 links, or 895.62 feet, more or less, along the northerly line of Laurel Street, to the first mentioned stake and stones at land, formerly of Jose, and now of the Commonwealth of Massachusetts, MDC, being the point and place of beginning.

EXCLUDING, and reserving from the above described parcel, an unrestricted lot of land in the southwesterly corner thereof, including the residence and various out buildings, said lot containing 3.4 acres, more or less, as shown upon a sketch plan dated March 9, 2000 Scale 1"=100', prepared by personnel of the Division of Watershed Management of the MDC, which sketch plan is labeled EXHIBIT A and appended to this description, to be made a part hereof and recorded herewith. This excluded lot of land is specifically excepted from any and all of the restriction provisions set forth herein and is reserved to Norman Goodale, his heirs and successors free from the conservation restriction as set forth herein.

The premises, as described above, contain an area of 17.0 acres, more or less, of which 3.4 acres are specifically excluded from the provisions set forth below, and 13.6 acres are hereby and herein

intended to be restricted.

The description of the parcel set forth above is based both upon prior deed description of the locus parcel and upon the following recorded and registered plans briefly cited above and more fully referenced below, in the order in which they were cited.

1. A plan entitled "Land In West Boylston, Massachusetts Owned By Joseph R. Antonio", dated January 8, 1986, prepared by George Edward Smith, Jr. R.L.S., which plan is recorded with said Deeds as Plan 65 in Plan Book 549.

2. A plan entitled "Definitive Plan, Hampshire Acres, West Boylston, Massachusetts", (Owner/Developer Elizabeth Naroian) dated May 3, 1989, revised August 24, 1989, revised February 6, 1990, prepared by Bouley Brothers, Inc., Arthur L. Bouley R.P.L.S., which plan is recorded with said Deeds as Plan 79 in Plan Book 636.

3. A plan entitled "West Boylston – 1978 Layout – Sheet 3 Of 12 Sheets Layout No. 6305" prepared by the Commonwealth of Massachusetts, Department of Public Works to accompany an order of taking dated 13 September 1978, which order is recorded with said Deeds at Book 6580, Page 307, and which plan is recorded with said Deeds as sheet 3 of 12, Plan 50 in Plan Book 456.

4. A plan entitled "Subdivision Plan Of Land In West Boylston", dated September 12, 1983, prepared by Thompson-Liston Associates Inc., which plan was filed with the Worcester Registry District Land Registration Office on Nov. 2, 1983 as Land Court Plan 35272B.

5. A plan entitled "Plan Of Land In West Boylston", dated February 15, 1983, prepared by Kenneth M. Shaw Engineering, Surveyors, which plan was filed with the Worcester Registry District Land Registration Office on July 11, 1983 as Land Court Plan No. 35272A (filed with Cert. Of Title No. 10352)

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Norman Goodale	13.6 acres, more or less

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being most of the remaining southerly portion of the same premises described in a deed from Lena F. Goodale, as Trustee under the Will of Mason W. Goodale, to Norman Goodale, dated December 21, 1961 and recorded with the Worcester District Registry of Deeds in Book 4252, Page 107.

The lands restricted herein and hereby are the easterly and northerly portions of the premises represented upon West Boylston Assessors Map 119 as Parcel 49.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.

3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for the development of any adjoining unrestricted land.

4. No septic systems or leach fields shall be permitted.

5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as determined by the landowner to be necessary to maintain the land in its natural state.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers shall be permitted.

7. No tillage shall be permitted except as determined by the landowner to be necessary to maintain the land in its natural state.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, and no motorized vehicular use shall be permitted except as necessary for the landowner to maintain the land in its natural state.

10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

Any activities performed by the landowner prior to the restriction that are not prohibited by the provisions above can continue to be performed on the property. These activities shall include but not be limited to the following:

1. The selective cutting of firewood for personal use by the landowner.
2. The burning of brush or yard waste in full compliance with any local, state, or federal laws.
3. The maintenance of pools along the edge of the brook for the purposes of flood prevention.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at reasonable times with advance notification to the landowner for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Norman Goodale	$ 170,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $170,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray and Mr. Collette, March 7, recommending that the Commission adopt an Order of Taking for acquisition of approximately 8.327 acres of land owned by June M. Sloan, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $95,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 8.327 acres of land owned by June M. Sloan, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 16, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Malden Street more particularly bounded and described as follows:

Beginning at the westernmost corner of the parcel herein being described, at a drill hole found at a point in the southeasterly line of Malden Street, at land, formerly of Hannah S. Edwards, now or formerly, of Randall & Diane M. Talancy;

Thence S. 36° 07' 05" E., 946.42 feet, by land, now or formerly, of R. & D.M. Talancy, to an iron pipe found at a corner and land, now or formerly, of the Chester H. & Florence M. Russ Trust;

Thence N. 52° 10' 00" E., 276.76 feet, partially by land, now or formerly, of the C.H.& F.M. Russ, Trust and partially by land, now or formerly, of Norman J. & Betty M. Penney, entering and running by a stone wall to another iron pipe found at a corner, and land, formerly of Elvira J. Robinson, now or formerly, of Paul Gargolinski;

Thence N. 39° 13' 50" W., 779.31 feet, to an iron pipe at a corner;

Thence N. 52° 29' 20" E., 432.14 feet, to a drill hole found in the northwesterly end of a stone wall at a corner;

Thence S. 83° 24' 35" E., 142.78 feet, by the stone wall to a drill hole found at a point therein;

Thence S. 86° 44' 55" E., 111.98 feet, by the wall to a drill hole in a corner of walls, at land, formerly of June M. Sloan, now or formerly, of Frank P. Jr., & Mary L. Sloan;

Thence N. 00° 52' 35" W., 50.34 feet, by land, now or formerly, of F.P.,Jr. & M.L. Sloan, to a drill hole in another corner of stone walls, at land, formerly of Robert A. & David J. Newton, now or formerly, of Robert L. & Denise J. Hobin;

Thence N. 83° 32' 10" W., 645.75 feet, by land, formerly of Eleanor V. Girard, now subdivided, and, land now or formerly, partially of Gary J. & Lois A. Corror, partially of SMC Development Corporation, partially of Thomas X. & Carol J. Mackintire, and partially of Van P. Tu, to an iron pipe set at the northwesterly corner of the parcel herein being described, at a point in the southeasterly line of Malden Street;

Thence S. 32° 15' 40" W., 259.15 feet, to a point near a drill hole found;

Thence S. 30° 25' 25" W., 117.26 feet, to a drill hole found;

Thence S. 36° 21' 00" W., 53.97 feet, to another drill hole found;

Thence S. 42° 34' 55" W., 11.68 feet, to the first mentioned iron pipe set in the southeasterly line of Malden Street, being the point and place of beginning, the last four courses being by said Street Line.

Containing 8.327 acres, by calculation, and being most of the same land shown as a 9.600 acre parcel to be apportioned to June M. Sloan, upon sheet 1 of 2, of a plan entitled "Land In Holden Massachusetts Owned By Estate Of Jane E. Horstman", dated June 1, 1976, prepared by Reney Brothers, Inc., Joseph A. Reney, P.E. & R.L.S., which plan is recorded With Worcester District Registry of Deeds as Plan 66 in Plan Book 443, with the exception of a 1.237 acre parcel conveyed to Frank P. Sloan by a deed dated 11/02/81 and recorded with Worcester District Registry of Deeds at Book 7354, Page 191, and shown upon a plan entitled "Land In Holden, Massachusetts Owned By June M. Sloan", dated October 12, 1981, which plan is recorded with said Deeds as Plan 46 in Plan Book 491.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Malden Street, which may be held by the supposed owner as a result of her ownership of the above described premises, and being most of the same premises devised in clause 3 of the will of Jane E. Horstman to her daughter June M. Sloan and described in compromise agreement dated July 13, 1977 filed with Worcester Probate Court in the Estate of Jane E. Horstman, Case No. 265167.

The above-described property is represented upon Holden Assessors Tax Map 134 as Parcel 21.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of

the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
June M. Sloan	$ 95,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 95,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray and Mr. Collette, March 8, recommending that the Commission authorize the grant of a license to 7-Eleven, Inc., in exchange for 7-Eleven, Inc., assuming responsibility for the maintenance and beautification of MDC property that abuts 730 Morrissey Boulevard in Boston, and to further authorize the Commissioner to execute the license agreement with 7-Eleven, Inc., on behalf of the Commission.
The Commission V O T E D: to authorize the grant of a license to 7-Eleven, Inc., in exchange for 7-Eleven, Inc., assuming responsibility for the maintenance and beautification of MDC property that abuts 730 Morrissey Boulevard in Boston.
The Commission further V O T E D: to authorize the Commissioner to execute the license agreement with 7-Eleven, Inc., on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on Thursday, March 22, 2001, at 9:00 a.m., at the 2001 New England Spring Flower Show, Bayside Exposition Center, 200 Mt. Vernon Street, Boston.

Secretary

Record of the Three Thousand Nine Hundred and Seventy Fifth (3975th) Meeting of the Metropolitan District Commission duly called and held at the 2001 New England Spring Flower Show, Bayside Exposition Center, 200 Mt. Vernon Street, Boston, Massachusetts, on Thursday, March 22, 2001.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 8, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed the Commissioner and three Associate Commissioners:

1. Contract No. P01-2100-C1A, dated March 22, 2001, with Precision Group, Inc., for Construction of New Playground at the Shea Memorial Park, Quincy.

2. Contract No. P01-2113-C1A, dated March 22, 2001, with J. D'Amico, Inc., for Miscellaneous Structural Repairs at Various Pools.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Misslin, Brooks and Kane, March 14, on bids for Renovations to the Allston-Brighton Wading Pool Bathrooms, Contract No. P01-2115-C1A.
(Messrs. Faucher, Misslin, Brooks and Kane recommend acceptance of the lowest adjusted bid received, that of T. Cooney Company, of $168,867.81).
The Commission VOTED: to accept the lowest adjusted bid received, that of T. Cooney Company, of $168,867.81.

4. Report of Messrs. Faucher, Misslin, Brooks and Balicki, March 20, on bids for New Swimming Pool Filter System, Reilly Pool, Cleveland Circle, Brighton, Contract No. P01-2112-C2A.
(Messrs. Faucher, Misslin, Brooks and Balicki recommend acceptance of the lowest bid received, that of R. Zoppo Corp., of $330,220.00).
The Commission VOTED: to accept the lowest bid received, that of R. Zoppo Corp., of $330,220.00.

Action was taken upon the following matter relating to the Watershed Management Division:

5. Report of Messrs. McGinn and Pula, March 14, on proposals for the purchase of forest products located on Quabbin Reservoir, Ware River, Sudbury and Wachusett Watersheds.
The Commission VOTED: to accept the highest qualified bid, that of Conkey Logging & Lbr., of $4,007.85; to purchase approximately 26,615 board feet of timber on Timber Lot No. R3NQ – Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of RE-GEN L.L.C., of $52,723.00; to purchase approximately 560,275 board feet of timber, 345 cords of firewood and 1,973 tons of pulp on Timber Lot No. 3002A – Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Prentiss & Carlisle, of $52,765.00; to purchase approximately 418,768 board feet of timber, 124 cords of firewood and 887 tons of pulp on Timber Lot No. 3014 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of LeClerc & Son, of $37,876.61; to purchase approximately 302,157 board feet of timber, 122 cords of firewood and 575 tons of pulp on Timber Lot No. 3015 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber Co., of $52,000.00; to purchase approximately 429,742 board feet of timber, 182 cords of firewood and 1,202 tons of pulp on Timber Lot No. 3016 – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of T. Jepson & Son, of $100.00; to purchase approximately 79 cords of firewood and 280 tons of pulp on Timber Lot No. 4285A – Ware River Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Chet Lubelczyk, of $7,350.00; to purchase approximately 38,916 board feet of timber and 253 cords of firewood on Timber Lot No. 4286 – Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Chris Pirner, of $12,750.00; to purchase approximately 73,298 board feet of timber, 136 cords of firewood and 134 tons of pulp on Timber Lot No. 4301 – Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber of $61,101.00; to purchase approximately 464,834 board feet of timber, 181 cords of firewood and 956 tons of pulp on Timber Lot No. 6021 - Sudbury Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $6,101.00 to purchase approximately 40,224 board feet of timber, 518 cords of firewood and 227 tons of pulp on Timber Lot No. 5157AA – Wachusett Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber of $9,001,00; to purchase approximately 64,532 board feet of timber, 168 cords of firewood and 149 tons of pulp on Timber Lot No. 5167 – Wachusett Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Everett Labree, of $7,501.00; to purchase approximately 48,754 board feet of timber, 274 cords of firewood and 159 tons of pulp on Timber Lot No. 5168 – Wachusett Watershed.

Action was taken upon the following matters relating to the Office of General Counsel:

1. Report of Mr. Gray and Ms. McLaughlin, March 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 60.2 acres of land owned by Michael Daly, Denise Ferrari, and Virginia McKanobb, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $ 150,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 60.2 acres of land owned by Michael Daly, Denise Ferrari, and Virginia McKanobb, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 22, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land lying on and off of the northwesterly side of East Princeton Road, Route 31, more particularly bounded and described as follows:

Parcel No. 2B

Beginning at a point in the northwesterly layout line of the 1946 Worcester County Record Layout of East Princeton Road-Route 31, at land, formerly of Wilbur A. Powers, late of Robert G. & Anne S. Mason, Trustees of East Princeton Road Realty Trust, now of the Commonwealth of Massachusetts, MDC (see order of taking dated March 19, 1998 recorded with Worcester District Registry of Deeds at Book 19841, Page 84), which point, in a stone boundary wall, is located N. 49° 54' 20" E., 8.5 feet from a Worcester County Highway marker shown at Station 44+56.73 upon Plan H-2936 R Decree 1478 Sheet 4 of 5 Sheets, recorded with said Deeds as Plan 88 in Plan Book 140;

Thence	N. 30° 45' W., 383 feet, by the stone wall and land, formerly of Wilbur A. Powers, to a stone bound in a stone wall corner at land, formerly of Rufus Davis, described below as Parcel No. 1;
Thence	N. 58° 30' E., 183 feet, by the stone wall and the southerly line of Parcel No. 2, to a point at land, now or formerly, of Alfred T., Jr. & Frances M. Glockner (see deed dated 4/28/62 recorded with said Deeds at Book 5131, Page 538);
Thence	S. 30° 45' E., 354 feet, more or less, to a point in the northwesterly layout line of the 1946 Worcester County Record Layout of East Princeton Road-Route 31;
Thence	S. 49° 54' 20" W., 185 feet, more or less, by the northwesterly layout line of the highway, to the first mentioned point in the stone wall, at land formerly of Wilbur A. Powers, being the point and place of beginning.

Containing 1.55 acres, more or less, as shown as Parcel "B" upon a plan entitled "Plan Of Land As Surveyed For Alfred T. Glockner Jr. et ux Princeton, Mass.", dated May 18, 1973, prepared by Michael S. Szoc, R.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 37 in Plan Book 397. (It is noted that the concluding course indicated upon this plan calls for S. 50° 45' W. rather than the highway layout line of S. 49° 54' 20" W. which is used in the above description.)

Parcel No. 1

Beginning at the stone bound in the stone wall, referenced above at the conclusion of the first course in the description of Parcel No. 2B, at the southwesterly corner of Parcel No. 1 and the northwesterly corner of Parcel No. 2B, at lands, formerly of Wilbur A. Powers, late of Robert G. Mason and Anne S. Mason, Trustees of East Princeton Road Realty Trust, of Off Mirick Road Realty Trust, and of Beaman Road Realty Trust, now of the Commonwealth of Massachusetts, MDC (see order of taking cited above);

Thence N. 58° 30' E., 183 feet, by the northwesterly line of Parcel No. 2B and the stone wall, to a point therein at the northwesterly corner of Parcel "A", as shown upon the recorded plan referenced above, land, now or formerly, of the aforesaid A.T., Jr. & F.M. Glockner, (see deed dated 4/28/62 recorded with said Deeds at Book 4276, Page 64);

Thence N. 58° 30' E., 317 feet, by the northwesterly line of Parcel "A", and the stone wall, to a point at the northwesterly corner of land, formerly of Clarence J. Messier et ux, now or formerly, of Jeffrey A. & Frances G. Lind (see deed recorded with said Deeds at Book 5250, Page 123);

Thence Northeasterly, 200 feet, by the northwesterly line of land, now or formerly, of J.A. & F.G. Lind, and the stone wall, to a point therein at the northwesterly corner of other land, now or formerly, of A.T., Jr. & F.M. Glockner (see deed recorded with said Deeds at Book 4276, Page 63);

Thence Northeasterly, 200 feet, by the northwesterly line of land, now or formerly, of A.T., Jr. & F.M. Glockner, and the stone wall, to a point therein at the northwesterly corner of land, now or formerly, of Thomas A. Glockner (see deed recorded with said Deeds at Book 5096, Page 400);

Thence Northeasterly, 328 feet, by the northwesterly line of land, now or formerly, of Thomas A. Glockner, and the stone wall, to a stake & stones at a point in a stone wall corner, at land, formerly of Sedo L. Pierozzi, now or formerly, of Paul Pierozzi and Karen Matzilevich (see Middlesex County Probate Docket No. 90P1978 and the deed dated 10/15/93 recorded with said Deeds at Book 15767, Page 313);

[Note that in the current deed description, Book 3899 Page 25, the last five courses are accounted for by a call of N. 50° E., 76 rods, or 1254 feet. This is a distance of 26 feet more than in the above description.]

Thence N. 30° 33' 55" W., 135.78 feet, by the wall, to another drill hole found at another point therein;

Thence N. 34° 22' 43" W., 63.12 feet, by the stone wall, to another drill hole found, at another point therein;

Thence N. 33° 07' 33" W., 290.52 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 33° 10' 54" W., 305.23 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 32° 54' 29" W., 222.16 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 33° 27' 59" W., 308.18 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 28' 59" W., 328.87 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 42' 51" W., 134.32 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 23' 42" W., 223.20 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 19' 27" W., 112.74 feet, by the stone wall, to a field stone bound with drill hole, in a stone wall corner, at land, formerly of the heirs of Signe H. Thorell, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 6/20/96 recorded with said Deeds on 7/02/96 at Book 18052, Page 307), the last ten courses being by land, formerly of Sedo L. Pierozzi, as shown upon a plan entitled "Preliminary Boundary Plan of 'Laurel Wood Estates'", prepared by Jim Troupes & Associates, Woodville MA, signed and stamped by James P. Troupes P.L.S. # 31323, a copy of which plan is on file with the Office of the General Counsel of the Metropolitan District Commission, at its headquarters located at 20 Somerset Street Boston MA. (There is no plan of this above-referenced abutting premises recorded with Worcester District Registry of Deeds.);

[Note that in the current deed description, Book 3899 Page 25, the last ten courses are accounted for by a call of N. 41° W., 128½ rods, or 2120.25 feet. This is a distance of 3.87 feet more than in the above description.]

Thence S. 59° 10' 33" W., 245.63 feet, by the stone wall, and land, formerly of the Thorell heirs, to a drill hole made in the wall at the southwesterly corner of the former Thorell farm, said drill hole also marking the southeasterly corner of land, formerly of Winslow E. Beaman & Irving W. Beaman, now or formerly, of the heirs of Nellie P. & Alden G. Beaman (see the deed recorded with said Deeds at Book 2903, Page 220);

[The last course is taken from a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Princeton (Worcester County) MA LandTaking Plan For Watershed Protection", dated June, 1996 and prepared by James E. Gaffney Co., James E. Gaffney R.P.L.S., which plan, drawn to accompany the taking of the Thorell farm, cited above, is on file with the Office of the General Counsel of the MDC, at its headquarters located at 20 Somerset Street, Boston MA, and will be recorded with said Deeds, at some future date.]

Thence Southwesterly, about 865 feet, more or less, by estimate, by the stone wall and land, now or formerly, of the Beaman heirs, to a point in a wall corner, said corner falling at a point in the northeasterly line of the "Barrett Pasture", land formerly of Winslow E. Beaman, late of Robert G. Mason & Anne S. Mason, Trustees of Beaman Road Realty Trust, and now of the Commonwealth of Massachusetts, MDC (see order of taking dated 3/19/98 recorded with said Deeds on 4/17/98 at Book 19841, Page 84, see also a plan entitled "Plan of Lots prepared for Chester C. Drury, Estate, Princeton, Mass", dated May 14, 1976, prepared by Michael S. Szoc, R.L.S., which plan is recorded with said Deeds as Plan 30 in Plan Book 426);

[Note that in the current deed description, Book 3899 Page 25, the last two courses are accounted for by a call of S. 50° W., 70 rods, or 1155 feet. This is a distance of 44.37 feet more than in the above description.]

Thence Southeasterly, about 2120 feet, more or less, partially by the "Barrett Pasture" and partially by the "Hartwell Pasture", land formerly of Samuel Hartwell, late of Robert G. Mason & Anne S. Mason, Trustees of Off Mirick Road Realty Trust, and now of the Commonwealth of Massachusetts, MDC (see the last order of taking cited above), to the stone bound first mentioned at the northwesterly corner of Parcel 2B, as described above, being the point and place of beginning.

[Note that in the current deed description, Book 3899 Page 25, this last course is accounted for by a call of S. 38° 30' E., 128½ rods, or 2120.25 feet. The current description fails to close by a distance of over 200 feet.]

Containing 58 acres and 104 square rods, or 58.65 acres, more or less, by previous deed description.

The total calculated area of both parcels taken herein and hereby is 60.2 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in East Princeton Road, Route 31, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the same premises described in two deeds, the first from the Commonwealth of Massachusetts, acting through its Commissioner of Natural Resources to William S. Daly and Virginia L. Daly, dated 30th August 1956 and recorded with Worcester District Registry of Deeds at Book 3899, Page 25, and the second from Alfred T. Glockner, Jr. and Francis M. Glockner to William S. Daly and Virginia L. Daly, dated 13th May 1982 and recorded with Worcester District Registry of Deeds at Book 7467, Page 72. See Middlesex County Probate Case No. 98P-5143.

See also the following conveyances of undivided interests in the above-described premises, among the several Daly heirs:

A deed from William E. Daly to Michael J. Daly dated 21st March 2000, conveying a 1/6th undivided interest in the above described premises, recorded with said Deeds on March 24, 2000 at Book 22421, page 250.

A deed from Kathy M. Folsom to Michael J. Daly dated 21st March 2000, conveying a 1/6th undivided interest in the above described premises, recorded with said Deeds on March 24, 2000 at Book 22421, Page 252.

A deed from Dennis F. Daly to Michael J. Daly dated 13th of April 2000, conveying a 1/6th undivided interest in the above described premises, recorded with said Deeds on March 2, 2001 at Book 23626, Page 40.

The above-described property is represented upon Princeton Assessors Tax Map 9 as Parcels 1 and 2B.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph

communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Michael Daly, Denise Ferrari and Virginia McKanobb	$ 150,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $150,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray and Ms. McLaughlin, March 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 67.98 acres of land owned by Paul Pierozzi and Karen Matzilevich, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $ 206,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 67.98 acres of land owned by Paul Pierozzi and Karen Matzilevich, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DI
STRICT COMMISSION

Boston, March 22, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain adjoining parcels of land, described herein as a single parcel, lying on and off of the northwesterly side of East Princeton Road-Route 31, more particularly bounded and described as follows:

Beginning at a point in the northwesterly layout line of East Princeton Road-Route 31, at the southwesterly corner of the parcel herein being described, and at the northeasterly corner of land, formerly of Thomas Haney, and, now or formerly, of Thomas A. Glockner (see deed recorded with Worcester District Registry of Deeds at Book 5096, Page 400), said point being further located as lying S. 33° 16' 03" E., 3.04 feet from a drill hole found in the stone wall marking the property line between the premises herein being described, and land of the last named abutter;

Thence N. 33° 16' 03" W., 3.04 feet, to the found drill hole in the stone wall referenced above;

Thence N. 33° 16' 03" W., 154.16 feet, by the stone wall, to another drill hole found at a point therein;

Thence N. 35° 04' 52" W., 26.63 feet, by the stone wall, to another drill found at a point therein;

Thence N. 32° 17' 46" W., 32.59 feet, by the wall, to a stake & stones, found at a point therein, marking the northeasterly corner of the abutting land, now or formerly, of Thomas A. Glockner, and the southeasterly corner of land, formerly, of the Commonwealth of Massachusetts, Department of Natural Resources, now or formerly, of the heirs of William S. Daly & Virginia L. Daly (see deed dated 30 August 1956 recorded with said Deeds at Book 3899, Page 25, and see also Middlesex County Probate Docket No. 98P5143, note subsequent deeds conveying interests among the heirs) the last four courses being by land, now or formerly of the aforesaid T. Glockner;

Thence N. 30° 33' 55" W., 135.78 feet, by the wall, to another drill hole found at another point therein;

Thence N. 34° 22' 43" W., 63.12 feet, by the stone wall, to another drill hole found, at another point therein;

Thence N. 33° 07' 33" W., 290.52 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 33° 10' 54" W., 305.23 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 32° 54’ 29” W., 222.16 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 33° 27’ 59” W., 308.18 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 28’ 59” W., 328.87 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 42’ 51” W., 134.32 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 23’ 42” W., 223.20 feet, by the stone wall, to another drill hole found, at a point therein;

Thence N. 34° 19’ 27” W., 112.74 feet, by the stone wall, to another stake & stones found, at a point in a wall corner, said corner being the northwesterly corner of the parcel herein being described, and said point being in the southeasterly line of land formerly of the heirs of Signe H. Thorell, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 6/20/96 recorded with said Deeds on 7/02/96 at Book 18052, Page 307), the last ten courses being by land, now or formerly, of the aforesaid Daly heirs;

Thence N. 56° 55’ 53” E., 242.69 feet, by the stone wall, to a drill hole at a point therein;

Thence N. 57° 00’ 52” E., 464.75 feet, by the stone wall, to a drill hole at a point therein;

Thence N. 57° 03’ 36” E., 146.84 feet, by the stone wall, to a drill hole at a point therein;

Thence N. 56° 00’ 47” E., 305.36 feet, by the stone wall, to a drill hole at a point therein;

Thence N. 57° 59’ 11” E., 138.69 feet, by the stone wall, to a drill hole at a point therein;

Thence N. 57° 41’ 05” E., 204.87 feet, by the stone wall, to a stake & stones found at the southwesterly corner of other land of the Commonwealth of Massachusetts, held by the Department of Environmental Management, as successor to the Department of Natural Resources (see instrument recorded with said Deeds at

Book 5046, Page 350), the last six courses being by land formerly of the Thorell heirs;

Thence N. 56° 53' 51" E., 95.83 feet, by the stone wall and land of the Commonwealth of Massachusetts, DEM, to a drill hole in a wall corner, said corner being the northeasterly corner of the parcel herein being described, and also the southwesterly corner of land, formerly of Sedo L. Pierozzi et ux, later of Daniel M. Durand et ux, and, now or formerly, of Scott E. Randall et ux, (see deed dated 9/18/98 recorded with said Deeds at Book 20434, Page 73, and also Parcel 1 on the plan recorded as Plan 111 in Plan Book 598);

Thence S. 27° 37' 55" E., 224.91 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 27° 28' 24" E., 187.76 feet, by the stone wall, to a drill hole in the wall, marking the northwesterly corner of land, now or formerly, of Alfred A. & Ashsah E. Lee (see deed recorded with said Deeds at Book 4711, Page 174), the last two courses being by land now or formerly of the aforesaid Randall et ux;

Thence S. 27° 20' 27" E., 160.39 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 30° 45' 36" E., 259.11 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 31° 19' 53" E., 354.04 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 30° 24' 02" E., 164.46 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 28° 34' 21" E., 80.21 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 30° 31' 02" E., 115.13 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 27° 49' 29" E., 103.45 feet, by the stone wall, to an iron pipe in the wall corner at the southeasterly corner of the parcel herein being described, and the northeasterly corner of the abutting lot, formerly of Albert E., III & Shirley A. Gould, now or formerly, of Bruce A. Sayles (see deed dated 4/16/97 recorded with said Deeds at Book 18747, Page 128), the last seven courses being by land, now or formerly, of the aforesaid A.A. & A.E. Lee;

Thence S. 39° 49' 31" W., 220.93 feet, by the stone wall, to a drill hole at a point therein;

Thence S. 39° 38' 29" W., 130.41 feet, by the wall, to a drill hole at a point therein, said point being at the northwesterly corner of land, now or formerly of B.A. Sayles, and the northeasterly corner of another abutting lot, land, formerly of Horace E. McCormick et ux, late of Sterling Real Estate Development, Inc., and, now or formerly, of Jason L. Lanpher (see the deed dated 11/09/00 recorded with said

Deeds at Book 23195, Page 198), the last two courses being by land, now or formerly, of said Sayles;

Thence S. 39° 35’ 22” W., 174.30 feet, by land, now or formerly, of J.L. Lanpher and the stone wall, to a drill hole at a point therein;

Thence S. 38° 56’ 12” W., 227.62 feet, by land, now or formerly, of J.L. Lanpher and the stone wall, to a drill hole at a point therein;

Thence S. 39° 19’ 19” W., 165.16 feet, partially by land, now or formerly, of J.L. Lanpher, and partially by land, formerly of Roger V. Hayward, now or formerly, of Stanley E. Andriski, Jr. (see deed dated 7/12/99 recorded with said Deeds at book 21609, Page 30), by the stone wall to a drill hole at a point therein;

Thence S. 38° 27’ 33” W., 185.54 feet, by the stone wall, to a drill hole at a point therein, at the northwesterly corner of the abutting land, now or formerly, of S.E. Andriski, Jr;

Thence S. 33° 05’ 41” E., 301.98 feet, by the southwesterly line of land, now or formerly, of Andriski, to a drill hole at a point in the curve forming the northwesterly layout line of East Princeton Road-Route 31;

Thence Southwesterly, by the highway layout line, along the arc of a curve to the left, having a radius of 1030.00 feet, an arc distance of 137.97 feet, to a point of tangency;

Thence S. 48° 28’ 20” W., 288.97 feet, by the northwesterly layout line of East Princeton Road-Route 31, to the first mentioned point, at land, now or formerly, of Thomas A. Glockner, and in line of the stone wall, being the point and place of beginning.

Containing 2,961,135 square feet, more or less, or 67.98 acres as shown upon a plan entitled “Preliminary Boundary Plan of ‘Laurel Wood Estates’”, prepared by Jim Troupes & Associates, Woodville MA, signed and stamped by James P. Troupes P.L.S. # 31323, a copy of which plan is on file with the Office of the General Counsel of the Metropolitan District Commission, at its headquarters located at 20 Somerset Street Boston MA. There is no plan of the above-described premises recorded with Worcester District Registry of Deeds.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in East Princeton Road-Route 31, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the same premises described as the 2nd and 4th parcels in a deed from Paul Pierozzi, Executor under the will of Sedo L. Pierozzi, by power conferred by said will (see Middlesex County Probate Docket No. 90P1978) to Paul Pierozzi and Karen

Matzilevich, as joint tenants, dated 15th October 1993 and recorded with Worcester District Registry of Deeds at Book 15767, Page 313.

The above-described property is represented upon Princeton Assessors Tax Map 9 as Parcels 7 and 9.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Paul Pierozzi and Karen Matzilevich	$ 206,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $206,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

1. Report of Mr. Gray, March 15, recommending that the Commission approve the payment to Wes Construction Corp. in the amount of $ 25,000.00, from Account No. 2420-1400, in settlement of all contract change order claims relating to MDC Contract No. WM95-085-C1A, the construction of the Boat Cove Docking Facility at the Wachusett Reservoir.
The Commission V O T E D: to approve the payment to Wes Construction Corp. in the amount of $25,000.00, from Account No. 2420-1400, in settlement of all contract change order claims relating to MDC Contract No. WM95-085-C1A, the construction of the Boat Cove Docking Facility at the Wachusett Reservoir, as recommended by Mr. Gray in his report of March 15, 2001.

2. Report of Mr. Gray, March 19, recommending that the Commission authorize the extension of the Lease Agreement dated April 10, 1996, by and between the Metropolitan District Commission and The Massachusetts Horticultural Society, for a portion of the MDC Elm Bank Reservation situated in the town of Dover comprising 35.981 acres, for a period of thirty years from April 10, 2001, in accordance with the second paragraph of section 2 of Chapter 105 of the Acts of 1995 and the applicable provisions of said Lease Agreement; and to further

authorize the extension of said Lease Agreement, for a period of sixty-nine years from April 10, 1996, with an option to extend said Lease Agreement for an additional period of thirty years, in accordance with section 2(c) of said Chapter 105 and the applicable provisions of said Lease Agreement; and to further vote that such actions are taken by the Commission in acknowledgement that The Massachusetts Horticultural Society has produced sufficient documentary evidence to satisfy the fundraising and other requirements of both aforesaid sections 2 and 2(c), with the additional benefit that the historic mansion on site shall be preserved, and that therefore the Commission does hereby extend said Lease Agreement for the longer term allowable by said Chapter 105, of a period of sixty-nine years from April 10, 1996, with an option to extend said Lease Agreement for an additional period of thirty years; and to further vote that an attested copy of the extract of this Vote shall be recorded with a Notice of Lease and any and all other documents as required, with the Norfolk County Registry of Deeds, to evidence compliance with the provisions of Chapter 105 of the Acts of 1995 and the extension of said Lease for a period of sixty-nine years with an option to extend for thirty years, which Notice of Lease and other documents may be signed by the Secretary to the Commission on behalf of the Commission.

The Commission VOTED: to authorize the extension of the Lease Agreement dated April 10, 1996, by and between the Metropolitan District Commission and The Massachusetts Horticultural Society, for a portion of the MDC Elm Bank Reservation situated in the town of Dover comprising 35.981 acres, for a period of thirty years from April 10, 2001, in accordance with the second paragraph of section 2 of Chapter 105 of the Acts of 1995 and the applicable provisions of said Lease Agreement,

The Commission further VOTED: to authorize the extension of said Lease Agreement, for a period of sixty-nine years from April 10, 1996, with an option to extend said Lease Agreement for an additional period of thirty years, in accordance with section 2(c) of said Chapter 105 and the applicable provisions of said Lease Agreement.

The Commission further VOTED: that such actions are taken by the Commission in acknowledgement that The Massachusetts Horticultural Society has produced sufficient documentary evidence to satisfy the fundraising and other requirements of both aforesaid sections 2 and 2(c), with the additional benefit that the historic mansion on site shall be preserved, and that therefore the Commission does hereby extend said Lease Agreement for the longer term allowable by said Chapter 105, of a period of sixty-nine years from April 10, 1996, with an option to extend said Lease Agreement for an additional period of thirty years.

The Commission further VOTED: that an attested copy of the extract of this Vote shall be recorded with a Notice of Lease and any and all other documents as required, with the Norfolk County Registry of Deeds, to evidence compliance with the provisions of Chapter 105 of the Acts of 1995 and the extension of said Lease for a period of sixty-nine years with an option to extend for thirty years, which Notice of Lease and other documents may be signed by the Secretary to the Commission on behalf of the Commission.

Adjourned at 9:55 a.m., to meet on Thursday, March 29, 2001, at 9:00 a.m., at the Metropolitan District Commission, 20 Somerset Street, Boston, Massachusetts.

Secretary

Record of the Three Thousand Nine Hundred and Seventy Sixth (3976tht) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, March 29, 2001.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 15, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P01-2112-C2A, dated Mach 29, 2001, with R. Zoppo Corp., for New Swimming Pool Filter System, Reilly Pool, Cleveland Circle, Brighton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Thurlow, March 13, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise for proposals for Project No. P00-2067-M2A, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation.
Time for Performance – seven months.
Estimated Cost - $65.000.00.
Funding for FY2002 contingent upon sufficient funds being made available through the annual budgetary appropriation process.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for proposals for Project No. P00-2067-M2A, for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation.

3. Report of Mr. Faucher and Ms. Pomorska, March 22, requesting approval of a revision in quantities on Item No. 020-010 – Traffic Control Services – at an increase of $5,000.00, on Contract No. P00-2033-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts. (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-010 – Materials, Components, Parts and Controls).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Lenhardt, March 22, requesting approval of the action of Commissioner Balfour resulting in Assignment No. 9 to Contract No. P99-1989-C11 – Emergency Standby for Bridge Repairs - for Emergency Structure Repairs to Beades Drawbridge by SPS New England, at a cost of $22,873.72.
Account No. 2490-0012.
The Commission V O T E D: to approve the action of Commissioner Balfour

which resulted in Assignment No. 9 to Contract No. P99-1989-C1I – Emergency Standby for Bridge Repairs - for Emergency Structure Repairs to Beades Drawbridge by SPS New England. The Commission further V O T E D: to approve Assignment No. 9, in the amount of 22,873.72.

1. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, March 26, recommending approval of Extra Work Order No. 3 – to repair Land Boulevard mechanical pit steel support beams – at a cost of $6,871.04, on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge, Cambridge.
Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $6,871.04.

2. Report of Messrs. Faucher and Carrigan, March 23, recommending approval of an extension of time from May 15, 2001 to June 15, 2001, on Contract No. P00-2088-C1A, with N.E.L. Corporation, for Remedial Joint Repair and Resurfacing of the Outbound Bridge Deck and Ramps on Bowker Overpass.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from May 15, 2001 to June 15, 2001, as recommended by Messrs. Faucher and Carrigan in their report of March 23, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and McCalla, March 23, recommending approval of revisions in quantities on Contract No. P00-2030-M1A, with Coviello Electric & General Contracting Co., Inc., for Maintenance of Street Lighting Systems of MDC Parkways, Roadways and Properties at Various Locations, as follows –

Item No. 003-010 Mercury Vapor Lamp 400W.	**$1,000.00**
Item No. 006-010 High Pressure Sodium Lamp 250W.	**$1,500.00**
Item No. 008-010 High Pressure Sodium Lamp 150W.	**$ 500.00**
Item No. 009-010 Metal Halide Lamp 175 W.	**$ 500.00**
Item No. 010-010 Photo Cells (Twist Lock)	**$ 936.00**
Total	**$4,436.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 004-010 – Mercury Vapor Lamp 250 W., 005-010 – Mercury Vapor Lamp 175W., 007-010 – High Pressure Sodium Lamp 400 W., 015-010 – Mercury Fixture 400 W., and 021-010 – Miscellaneous Labor).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Misslin, Brooks and Gabra, March 21, on bids for Rehabilitation of Flood Control Pump, Charles River Dam, Charlestown, Contract No. P01-2091-C1A.

(Messrs. Faucher, Misslin, Brooks and Gabra recommend acceptance of the lowest bid received, that of D & C Construction Company, Inc., of $99,550.00).
The Commission V O T E D: to accept the lowest bid received, that of D & C Construction Company, Inc., of $99,550.00.

Action was taken upon the following Various Matter:

1. Report of Mrs. Overton Bussell, March 26, requesting approval of regulation changes to 350 CMR 2.00 – Government and Use of Reservations and Parkways Under the Care and Control of the MDC, 350 CMR 5.00 – Parking and Penalties Therefore and 350 CMR 14.00 – Fees, Licenses, Permits, Rents, Leases, and Other as proposed at he Commission meeting of March 8, 2001. It is further requested that Secretary Chisholm be authorized to sign the filing forms to be submitted to the Secretary of State.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Secretary Chisholm to execute on behalf of the Commission, filing forms to be submitted to the Secretary of State.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, March 23, recommending that the Commission approve and issue a License to The Boston Red Sox Baseball Club Limited Partnership c/o Paul Revere Transportation LLC, to operate a free shuttle service along portions of certain MDC roadways, from April 6, 2001 through October 31, 2001, and only on those days professional baseball games are played, and to authorize Commissioner Balfour to execute said License and any and all other documents which may be required on behalf of the Commission.
The Commission V O T E D: to approve and issue a License to The Boston Red Sox Baseball Club Limited Partnership c/o Paul Revere Transportation LLC, to operate a free shuttle service along portions of certain MDC roadways, from April 6, 2001 through October 31, 2001, and only on those days professional baseball games are played.
The Commission further V O T E D: to authorize Commissioner Balfour to execute said License and any and all other documents which may be required on behalf of the Commission.

Adjourned at 9:35 a.m., to meet on Thursday, April 5, 2001, at 9:00 a.m.

William J. Chisholm
Secretary

Record of the Three Thousand Nine Hundred and Seventy Seventh (3977th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 5, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 22, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Soroka, March 26, recommending approval of revisions in quantities on Contract No. P99-1988-C1A, with MRP Site Development, Inc., for Santilli Circle Safety Improvements, Everett, as follows –

Item No. 180-400 Handling and Stockpile Contaminated Soil	**$ 98,350.00**
Item No. 181-500 Special Waste Soil	**$132,950.00**
	Total - $231,300.00

The amount of $231,300.00 is reduced by $75,000.00 by unused quantities in Item Nos. 393-000, 394-000, 395-000, 472-000, 482-500, 515-000, 580-000, 581-000, 628-311, 635-000, 665-000, 697-100, 701-200, 767-820, 810-300, 825-030, 825-050 and 999-200.
Due to current Project Financial Agreement between the MDC and Developers Diversified Realty (DDRC), DDRC will fund the remaining part of the revision in the sum of $156,300.00.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lenhardt, March 30, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 2 – for patching the concrete deck on the traffic lanes – at a cost of $10,602.00, on Contract No. P96-1819-C1A, with Boston Building & Bridge Corp., for Rehabilitation of Sweetser Bridges (Nos. 20 & 25), Everett. Funding from Account No. 2490-2001.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 2, on Contract No. P96-1819-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $10,602.00.

3. Report of Messrs. Faucher and Griffin, March 29, recommending approval of Extra Work Order No. 1 – for structural steel repairs at Craigie Drawbridge, Boston – at a cost of $9,978.47, on Contract No. P00-2045-C1A, with N.E.L. Corporation, for the Repair of Craigie Drawbridge, Boston.

Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $9,978.47.

1. Report of Messrs. Faucher and Lenhardt, March 26, requesting approval of Extra Work Order No. 7 – for cleaning and painting the MDC Maintenance building – at a cost of $82,775.00, on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park – Phase I, Neponset River Reservation, Boston.
Funding from Account No. 2420-1420.
On questioning by Associate Commissioner Elkort, Mr. Lenhardt stated that only a portion of the Alternate was being performed at this time. Therefore, he noted, the cost of the alternate was substantially reduced from $225,000.00 to $82,775.00.
Acting Commissioner Carr questioned whether the Contract award would have changed if different alternates were chosen. Mr. Lenhardt responded that when the canvas of bids was reviewed, it was found that the low bidder would not have changed.
The Commission V O T E D: to approve Extra Work Order No. 7, in the amount of $82,775.00.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. Pula, March 26, submitting for Commission approval, season and fee schedule for the 2001 fishing season at Quabbin Reservoir.
The Commission V O T E D: Approved, as follows –

A. FISHING SEASON DATES

The season, weather permitting, for boat and shore fishing will be as follows:
- Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 14, and close on Saturday, October 13, 2001.

B. DAYS OPEN

All Three Boat Launch Areas will be open seven days per week and a limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS

- April 14 – 5:00 A.M. (due to large crowds on opening day)
- April 15 – October 13: 6:00 A.M.

D. CLOSING HOURS – BOATS OFF WATER

- April 14– May 5 – 6:00 P.M.
- May 6 – September 1 – 7:00 P.M.
- September 2 – October 13 – 6:30 P.M.

E. BOAT RENTAL RATES

Rentals	Minimum	Maximum (8+hrs)	Deposit
Boat	$ 2.00	$ 7.00	$ 7.00
Motor (inc. 3 gallons gas)	$ 8.00	$20.00	$20.00

E. BOAT RENTAL RATES

Rentals	Minimum	Maximum (8+hrs)	Deposit
Total	$10.00	$27.00	$27.00

Senior Citizens (65 or older) Monday through Friday – except Holidays.
Handicapped Citizens pay half price at all times.

Rentals	Minimum	Maximum (8+hrs)	Deposit
Boat	$ 1.00	$ 3.50	$ 3.50
Motor (inc. 3 gallons gas)	$ 4.00	$10.00	$10.00
Total	$ 5.00	$13.50	$13.50

F. PARKING/LAUNCHING FEES

Parking:	Per Vehicle	$4.00
	Senior Citizens/ Handicapped Citizen	$2.00
Private Boat Launching:	Per Person	$2.00
	Senior Citizen/ Handicapped Citizen	$1.00

(Beginning in 2001, kayaks will be classified in the same category as canoes with similar restrictions on areas of access (above the regulating dams at Boat Launch Area 2 and 3) and size of craft – minimum length of 12 feet).

Action was taken upon the following Various Matters:

1. Report of Mr. Brown, March 28, requesting approval of and authorization for Commissioner Balfour to execute on behalf of the Commission an Interdepartmental Service Agreement with the Human Resources Division, in an amount not-to-exceed $5,000.00, to provide services to undertake programs to increase MDC's ability to recruit, hire, develop and train individuals with the best talent and skill by establishing the Commonwealth as a preferred place of employment.
Time of Performance – twelve months.
Funding from Account No. 2460-1000.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission the Interdepartmental Service Agreement with the Human Resources Division, in an amount not-to-exceed $5,000.00, to provide services to undertake programs to increase MDC's ability to recruit, hire, develop and train individuals with the best talent and skill by establishing the Commonwealth as a preferred place of employment.

2. Report of the Concession Selection Committee, April 2, recommending approval of a Trial Permit to Gondola diVenezia LLC to operate two gondolas (self powered water craft) on the Charles River Basin for a three season period starting in July 2001 and ending on October 15, 2003.

Final terms and conditions to be negotiated between the CSC and the operators of Gondola diVenezia LLC.
Compensation to the MDC shall be as outlined in their proposal.
This recommendation is subject to Gondola diVenezia LLC obtaining the necessary docking Permit and other required Permits.
The Commission V O T E D: to approve a Trial Permit to Gondola diVenezia LLC to operate two gondolas (self powered water craft) on the Charles River Basin for a three season period starting in July 2001 and ending on October 15, 2003, subject to Gondola diVenezia LLC obtaining the necessary docking Permit and other required Permits.

1. Report of Ms. Richardson, requesting authorization to rebuild and reinstall 6 - 71 Diesel engine and Allison Marine Gear of the MDC's LCM6 – The Speaker O'Neill.
Cost – not-to-exceed $20,000.00.
Time to complete work – six to eight months.
Account No. 2440-0010 (LL).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for proposals to rebuild and reinstall 6 - 71 Diesel engine and Allison Marine Gear of the MDC's LCM6 – The Speaker O'Neill.

Adjourned at 9:30 a.m., to meet on Thursday, April 12, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Seventy First (3978th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 12, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on March 29, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P01-2094-C1A, dated April 12, 2001, with Vigil Electric Company, Inc., for Improvement of Street Lighting Systems on MDC Parkways and Roadways for FY2001 and FY2002.

2. Amendment, dated April 12, 2001, to Contract-Agreement No. P93-1671-D1A, with Simpson, Gumpertz & Heger Inc., for Design Services for the Construction of the Storrow Drive Tunnel.

3. Contract No. P01-2115-C1A, dated April 12, 2001, with T. Cooney Company for Renovations to the Allston-Brighton Wading Pool Bathrooms.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher, Carrigan and Machado, March 30, on bids for Installation of Closure Gates, Guard Rail and Fencing at Various Locations of the Metropolitan District Park System, Contract No. P00-2087-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of D'Allesandro Corporation of $1,186,098.76).
The Commission V O T E D: to accept the lowest bid received, that of D'Allesandro Corporation of $1,186,098.76.

5. Report of Messrs. Faucher and Lenhardt, April 3, recommending approval of the request of James A. Gross, Inc., Contractor on Contract No. P99-1986-C2A, for Repair of the John J. Beades Drawbridge, Boston, to engage the services of DeLucca Fence Co., Inc., for -
Item No. 014-010 – Temporary Guard Rail - $19,400.00
Item No. 021-010 – Steel Median Guard Rail - $ 2,000.00
Item No. 022-010 – Precast Median Guard Rail - $21,960.00
Total - $43,360.00
(At no additional Contract cost).
The Commission V O T E D: Approved.

6. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, March 30, recommending approval of revisions in quantities on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge Cambridge, as follows –

Item No. 8 Structural Steel Bridge Superstructure	**$7,818.44**
Item No. 16 Special Lighting Unit-Arrow Board	**$ 500.00**
	Total - $8,318,44

Funding from Account No. 2490-2001.
The Commission V O T E D: Approved

1. Report of Messrs. Faucher and Lenhardt, March 26, requesting approval of Extra Work Order No. 8 – for excavating into the embankment, raise a Mass Highway Dept. drain line and install a new headwall at the higher elevation – at a cost of $3,180.00, on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, Boston.
(At no increase in Contract cost as the extra work will be offset by a credit under Alteration No. 2).
The Commission V O T E D: to approve Extra Work Order No. 8, in the amount of $3,180.00.

2. Report of Messrs. Faucher and Lenhardt, April 5, recommending approval of Amendment No. 6, for an extension of time from July 31, 2001 to October 31, 2001, on Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Misslin, Brooks and Balicki, April 9, on bids for Repairs to #4 Diesel Engine at the Charles River Dam, Contract No. P01-2121-C1A.
(Messrs. Faucher, Misslin, Brooks and Balicki recommend acceptance of the only responsive bid, that of Boston Fuel Injection, Inc., in the amount of $194,750.00).
The Commission V O T E D: to accept the only responsive bid, that of Boston Fuel Injection, Inc., in the amount of $194,750.00.

4. Report of Messrs. Faucher, Misslin, Brooks, Abounaja and Gray, March 27, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Contract No. P01-2123-D1A, for Licensed Site Professional Services for the former Sax Property in Dorchester – the former Fazerilo Realty Property in Revere and the Fadili Property in Stoneham.
Estimated Cost for L.S.P. Services to perform Phase I initial site investigation to determine existence and the limit of contamination for the Sax Property, the Fazerilo Property and the Fadili Property and engineering and land best use for the Sax Property is $187,000.00.
Time for Performance – one year.
Funds are available in Account Nos. 2420-1420 and 2440-8886 – under Open Order Contract No. GC01-2001.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Contract No. P01-2123-D1A, for Licensed Site Professional Services for the former Sax Property in Dorchester – the former Fazerilo Realty Property in Revere and the Fadili Property in Stoneham.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. McGinn, April 3, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1739, conveying Lot No. N.E, 1/8 of Lot No. 749, to Gordon R. Martin, Jr.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1739, dated April 12, 2001, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

2. Report of the Concession Selection Committee, April 5, recommending that Charles River West Boat Lines be awarded the Permit for the 2001, 2002, 2003, 2004 and 2005 seasons for the Excursion Boat and Charter Trip Service on the Upper Charles River, between Moody Street, Waltham and Commonwealth Avenue, Newton.
Compensation to the MDC shall be as outlined in the proposal.
The Committee further requests authorization for the Secretary to execute the Permit on behalf of the Commission.
The Commission V O T E D: to award Charles River West Boat Lines a Permit for the 2001, 2002, 2003, 2004 and 2005 seasons for the Excursion Boat and Charter Trip Service on the Upper Charles River, between Moody Street, Waltham and Commonwealth Avenue, Newton.
The Commission further V O T E D: authorization for the Secretary to execute the Permit on behalf of the Commission.

3. Report of Messrs. Chisholm, Gray, Kelter and Jewett, April 6, recommending that the Commission authorize the creation of the Metropolitan District Commission's Debt Collection Referral Committee to facilitate finalizing and implementing the MDC's Debt Collection Policies and Procedures, as outlined in their report of April 6, 2001.
The Commission V O T E D: to authorize the creation of the Metropolitan District Commission's Debt Collection Referral Committee to facilitate finalizing and implementing the MDC's Debt Collection Policies and Procedures.

4. Report of Mrs. Overton Bussell and Messrs. Faucher, McGinn and Gray, April 5, recommending approval of the Metropolitan District Commission Land Acquisition Site Assessment Policy to allow for increased intra-agency investigation of environmental issues on land targeted for acquisition by the MDC, as outlined in their report of April 5, 2001.
The Commission V O T E D: Approved.

5. Report of Mr. Jewett, April 9, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following two Contracts for FY2001 Park Land Acquisition Program – Open Order Contract No. GC01-2001 – Professional Real Estate Title Examination Services –

NAME	VALUE	PARCELS
Law Offices of Peter E. Flynn, P.C.	$10,800.00	4
Tamagini & Bloomenthal, P.C.	$ 1,850.00	2

Account Nos. 2420-1420 and 2440-8886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the contracts on behalf of the Commission.

1. Report of Mr. Jewett, April 10, requesting award of Contract No. PL00-063-S1A to Dionisos Enterprise, the only bidder for Restoration/Conservation of Sculptures, Esplanade, Charles River Basin, with a proposal of $57,800.00.
The Commission, at its Meting of October 5,2000, approved the sum of $40,000.00 for the Contract. Mr. Jewett further requests that the cost of the project be increased to $57,800.00 – an increase of $17,800.00.
Time for Performance – approximately nine months – weather dependent.
Account No. 2448-0052.
The Commission V O T E D: to award of Contract No. PL00-063-S1A to Dionisos Enterprise, the only bidder for Restoration/Conservation of Sculptures, Esplanade, Charles River Basin, with a proposal of $57,800.00.
The Commission further V O T E D: approval to increase the cost of the project from $40,000.00 to $57,800.00, as requested by Mr. Jewett in his report of April 10, 2001.

2. Report of Mrs. O'Brien and Mr. Driscoll, March 30, requesting approval of Amendment No. 2 to Contract No. PL92-017-D2A with Carol R. Johnson Associates, Inc., for Upper Charles River Reservation Restoration (UCRRR) – Master Plan and Design Services – Phase II, which extends the time of performance from April 18, 2001 to June 30, 2003.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization for Commissioner Balfour to execute the Amendment of behalf of the Commission.

Adjourned at 9:30 a.m., to meet on Thursday, April 19,2001 at 11:00 a.m., and the MDC Mounted Unit Stable, 705 Hillside Street, Milton, Massachusetts.

William J.

Secretary

Record of the Three Thousand Nine Hundred and Seventy Ninth (3979th) Meeting of the Metropolitan District Commission duly called and held at the MDC Mounted Unit Stables and Visitors Center, 695 Hillside Street, Milton, Massachusetts, on Thursday, April 19, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 5, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin, Brooks and Martinez, April 5, on bids for Demolition of the Maintenance and Sanitary Buildings at Breakheart Reservation, Saugus, Contract No. P01-2122-C1A.
(Messrs. Faucher, Misslin, Brooks and Martinez recommend acceptance of the lowest bid received, that of Jay-Mor Enterprises, Inc., in the amount of $28,900.00).
Messrs. Faucher, Misslin, Brooks and Martinez further request execution of the Contract. The Commission VOTED: to accept the lowest bid received, that of Jay-Mor Enterprises, Inc., in the amount of $28,900.00.
The Secretary then submitted for signature Contract No. P01-2122-C1A, dated April 19, 2001, with Jay-Mor Enterprises, Inc., which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. Faucher, Brooks and Gabra, April 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit proposals for Project No. P01-2124-C1A, for Installation of New Grid and Suspended Ceiling Panels for 1170 sq. ft. of Ceiling at Service Building of Melnea Cass Swimming Pool, Roxbury.
Estimated Cost - $4,000.00.
Time for Performance – thirty days.
Account No. 2440-8963.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to solicit proposals for Project No. P01-2124-C1A.

3. Report of Messrs. Faucher, Brooks and Gabra, April 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit proposals for Project No. P01-2124-C2A, for Repair of Plumbing System at the Service Building of the Melnea Cass Swimming Pool, Roxbury.
Estimated Cost - $7,000.00.
Time for Performance – thirty days.
Account No. 2440-8963.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to solicit proposals for Project No. P01-2124-C2A

1. Report of Messrs. Faucher, Brooks and Gabra, April 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit proposals for Project No. P01-2124-C3A, for Replacement of Entrance Double Door to the Service Building Lobby and Installation of New Rolldown Security Screen at the Service Building of Melnea Cass Swimming Pool, Roxbury.
Estimated Cost - $6,000.00.
Time for Performance – ninety days.
Account No. 2440-8963.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. P01-2124-C3A

2. Report of Messrs. Faucher, Brooks and Gabra, April 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2124-C5A. for Installation of New Heating and Ventilating System in the Service Building at the Melnea Cass Swimming Pool, Roxbury.
Estimated Cost - $50,000.00.
Time for Performance – ninety days.
Account No. 2440-8963.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2124-C5A.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Mr. McGinn, April 10, requesting approval and execution of Contract No. WM01-045-X1A – between the MDC and the Town of West Boylston for reimbursement to the Town of $600,000.00, for Sewer Enterprise Start-up Costs, per Chapter 55 of the Acts of 1999.
Account No. 2420-4996.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM01-045-X1A, dated April 19, 2001, between the MDC and the Town of West Boylston, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matter:

4. Request of Commissioner Balfour and his Staff, April 18, recommending that the Commission designate the MDC Mounted Unit Stables and Visitor Center at 695 Hillside Street, Milton, in honor of Director Brian Broderick of the Reservations and Historic Sites Division for his many years of dedicated service to the Commission.
The Commission V O T E D: to designate the MDC Mounted Unit Stables and Visitor Center at 695 Hillside Street, Milton, in honor of Director Brian Broderick of the Reservations and Historic Sites Division.

Adjourned at 11:25 a.m., to meet on Thursday, April 26, 2001, at 9:00 a.m., at the Metropolitan District Commission Headquarters Building, 20 Somerset Street, Boston, Massachusetts.

William F. Churchill
Secretary

Record of the Three Thousand Nine Hundred and Seventy First (3980th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, April 26, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Rollins.

The Records of the Commission Meeting held on April 12, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed the Commissioner and three Associate Commissioners:

1. Contract No. P01-2091-C1A, dated April 26, 2001, with D & C Construction Company, Inc., for Rehabilitation of Flood Control Pump, Charles River Dam, Charlestown.

2. Contract No. P00-2087-C1A, dated April 26, 2001, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fencing at Various Locations of the Metropolitan District Park System.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Carrigan, April 12, recommending approval of the request of N.E.L. Corporation, Contractor on Contract No. P00-2088-C1A, for Remedial Repairs to the Bridge Deck and Ramps on the Bowker Overpass, to engage the services of the following subcontractors –
Aggregate Industries/North Region, for Item No. 001-010 – Cold Planing – at a cost of $20. 304.90.
D & R General Contracting, Inc., for Item No. 002-010 – Bituminous Concrete – at a cost of $34,650.00, Item No. 003-010 – Bituminous Tack Coat – at a cost of $602.00.
Markings Inc., for Item No. 005-010 – 4" Reflectorized Pavement Markings – at a cost of $2,000.00, Item No. 006-010 – 8" Reflectorized Pavement Markings – at a cost of $427.50, Item No. 007-010 – 12" Reflectorized Pavement Markings – at a cost of $660.00, and Item No. 008-010 – Reflectorized Pavement Symbols and Legends – at a cost of $6,687.50.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Carrigan and Machado, April 12, recommending approval of the request of D & R General Contracting, Inc., Contractor on Contract No. P00-2085-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of the following subcontractors –
Coviello Electric and General Contracting, Inc., for Item No. 020-010 – Traffic Signal Detector Loops – at a cost of $30,000.00.
Aggregate Industries, Inc., for Item No. 002-010 – 0" – 4" Cold Planing – at a cost of $609,475.53.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Orfant, March 26, recommending the following on Contract No. P97-1881-C2A, with A.G.M. Marine Contractors, Inc., for Harbor Island Pier Replacement –
(a) That work be accepted as completed as of February 6, 2001.
(b) That Estimate No. 9 (Final), in the amount of $90,985.96, be approved for payment.
(c) That reserve, in the amount of $24,873.52, be approved for payment.
(Basis of Award - $455,862.50)
(Amount to Date - $497,470.33)
(Contract Performance Rating – 4.00)
(EEO Compliance – 4.60)
The Commission V O T E D: that the work of A.G.M. Marine Contractors, Inc., Contractor under Contract No. P97-1881-C2A, be and hereby is accepted as completed as of February 6, 2001.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of $90,985.96, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $24,873.52, for payment.

2. Report of Mr. Faucher and Mrs. Graves Jones, April 11, recommending approval of a revision in quantities on Item No. 003-010-Flashing Traffic Control Device, knockdown Repair – at a cost of $3,300.00 on Contract No. P00-2032-MIA, with Coviello Electric and General Contracting Co. Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
(At no increase in Contract Cost as the revisions will be offset by unused quantities in Item No. 013-010-Storage Room and Engineer's Office).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Martinez, April 18, on bids for Renovations to the Service Building at Connors Memorial Pool, Waltham – Contract No. P00-2053-C4A.
(Messrs. Faucher, Brooks and Martinez, recommend rejection of all bids received for the project due to insufficient funds).
The Commission V O T E D: to reject all bids received for Contract No. P00-2053-C4A, due to insufficient funds.

4. Report of Messrs. Faucher and Lenhardt, March 26, requesting approval of Extra Work Order No. 9 – for installing to the Hallet Street site, the asphalt sidewalk, asphalt parking lot, granite curbing, 2" water line and drainage system – at a cost of $249,050.00, on Contract No. PL97-044-CIA, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, Boston.
Funding from Account No. 2420-1420.
The Commission V O T E D: to approve Extra Work Order No. 9, in the amount of $249,050.00.

5. Report of Messrs. Faucher and Griffin, April 19, recommending approval of Extra Work Order No. 2 – for welding the deck grating to the steel stringers of the bridge – at a cost of $5,204.08, on Contract No. P00-2045-CIA, with N.E.L. Corporation for the Repair of Craigie Drawbridge, Boston.

Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $5,204.08.

1. Report of Messrs. Faucher and McCalla, April 17, requesting approval of a revision in quantities on Item No. 024-010 - Materials, Components and Parts – at a cost of $8,000.00 on Contract No. P00-2030-MIA, with Coviello Electric and General Contracting Co. Inc., for Maintenance of Street Lighting Systems of MDC Parkways, Roadways and Properties at various locations.
(At no additional contract cost as the revision will be offset by unused quantities in Item Nos. 004-010- -Mercury Vapor Lamp – 250W, 005-010 - Mercury Vapor Lamp 175W, 007-010 - High Pressure Sodium Lamp – 400W, 015-010 - Mercury Fixture 400W, and 021-010 - Miscellaneous Labor).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Griffin, April 19, recommending approval of Amendment No. 2 to Contract No. P92-1660-D1A, with Goodkind and O'Dea, Inc., for Design Services for Substructure Repairs to the Neponset River Bridge, which increases the design upset limit by $642,132.78 and extends the completion date from August 31, 2001 to August 31, 2004.
Funding from Account No. 2440-9990.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Griffin, April 20, recommending approval of an extension of time from April 30, 2001 to June 30, 2001, on Contract No. P00-2045-C1A, with N.E.L. Corporation, for Repair of Craigie Drawbridge, Boston, as additional deterioration of the steel structure was discovered.
(At no increase in Contract cost).
The Commission V O T E D: to approve extension of time from April 30, 2001 to June 30, 2001, as recommended by Messrs. Faucher and Griffin in their report of April 20, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Lenhardt, April 13, recommending approval of an extension of time from April 30, 2001 to June 30, 2001, on Contract No. P84-1276-C1A, with SPS New England, Inc., for Repairs to Cambridge Viaduct, Cambridge.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from April 30, 2001 to June 30, 2001, as recommended by Messrs. Faucher and Lenhardt, in their report of April 13, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

5. Report of Messrs. Faucher and Lenhardt, April 10, requesting approval of partial acceptance of the Neponset River Rail Trail portion and the Drive-in Site Portion, as being complete, as of May 1, 2001, with the exception of Extra Work Orders for the painting of the Maintenance Building and the installation of street lights, on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset River Reservation, Boston.

The Commission V O T E D: Approved as requested by Messrs. Faucher and Lenhardt in their report of April 10, 2001.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Pula, April 18, on proposals for the purchase of forest products located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Chet Lubelczyk, of $955.00; to purchase approximately 27 cords of fuelwood on Roadside Sale No. R4NQ – Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Beaman Lumber Inc., of $8,127.06; to purchase approximately 37,990 board feet of logs on Roadside Sale No. R5NQ – Quabbin Reservoir Watershed.

2. Report of Messrs. McGinn and Zimmerman, April 10, submitting for approval Work Schedule, Project Summary and Project Justification for Division of Watershed Management GIS Parcel Coverage Update, Phase I – Project No. WM01-078-X1A, with Applied Geographics, Inc., an approved vendor on the IT Service Contract (ITS07), Section 3 – Technical Specialists, under the existing multi-state blanket contract.
Fee - $10,000.00.
Time for Performance – April 2001 through June 30, 2001.
Funding from Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, April 19, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following two Contracts for FY 2001 – Watershed Land
Acquisition Program – Open Order Contract No. GC01-2002- Professional Real Estate Title Examination Services -

NAME	**VALUE**	**PARCELS**
Law Offices of Peter E. Flynn, P. C.	$23,010.00	21
Tamagini & Bloomenthal, P.C.	$ 9,500.00	10

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contracts with the Law Offices of Peter E. Flynn, P. C. and Tamagini & Bloomenthal, P.C.

4. Report of Mrs. Johnson April 20, requesting approval and authorization to solicit proposals for a Medical Evaluation Services Contract for MDC employees at risk for occupational exposure to hazardous materials in the performance of their duties.

Time for performance – three years.
Cost - $5,000.00 for each year with a total of $15,000.00
Funding –2002 FY from Account No. 2440-0010.
Funds for FY 2003 and FY 2004 are subject to appropriation.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for a Medical Evaluation Services Contract for MDC employees at risk for occupational exposure to hazardous materials in the performance of their duties.

1. Report of Mr. Jewett, April 20, requesting approval of two service agreements for professional services with the following engineering firms under FY2001 – Watershed Land Acquisition Program – Open Order Contract No. GC01-2002- Professional Real Estate Chapter 21E Study Services -

NAME	VALUE	ASSIGNMENTS
CDW Consultants, Inc.	$ 9,500.00	3
Earth Tech, Inc.	$22,000.00	2

Account No. 2421-9936.
The Commission V O T E D: Approved.

2. Report of Mr. Jewett, April 20, requesting approval of a service agreement with Vanasse Hangen Brustlin, Inc., for professional engineering services, at a cost of $15,820.00, for six assignments, under FY2001 Park Land Acquisition Program, Open Order Contract No. GC01-2001, Professional Real Estate Chapter 21E Study Services.
Account No. 2440-8886
The Commission V O T E D: Approved.

3. Report of Mrs. O'Brien and Mr. Driscoll, April 12, requesting approval and authorization to advertise for consultant services, Project No. PL01-073-S1A, for Charles River Lakes District Mechanical Weed Harvesting and Treatment Program – 2001.
Estimated Cost – up to $100,000.00.
Time for Performance – from May 2001 to December 2001.
Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for consultant services, Project No. PL01-073-S1A, for Charles River Lakes District Mechanical Weed Harvesting and Treatment Program – 2001.

4. Report of the Concession Selection Committee, (CSC), April 19, recommending that Tastefully Yours Catering (Thomas M. Wilkenson, President), the food service concession company which was awarded the Permit for the 2001 and 2002 seasons at Georges Island, be held in default and the matter referred to the Debt Collection Referral Committee for further action for non-compliance with the terms of the Permit.

The CSC further requests authorization to readvertise for proposals, the Georges Island concession for the 2001 – 2002 – 2003 - 2004 and 2005 seasons.
The Commission V O T E D: Tastefully Yours Catering (Thomas M. Wilkenson, President), the food service concession company which was awarded the Permit for the 2001 and 2002 seasons at Georges Island, be held in default and the matter referred to the Debt Collection Referral Committee for further action.
The Commission further V O T E D: authorization to readvertise for proposals, the Georges Island concession for the 2001 – 2002 – 2003 - 2004 and 2005 seasons.

1. Report of Mr. Jewett, April 23, on proposals for Landscape Maintenance of Lynn Shore Drive and Revere Beach Reservation, Contract No. P00-2067-M2A.
(Mr. Jewett requests acceptance of the lowest bid received, that of Greenscape, Inc., in the amount of $68, 995.00).
The Commission V O T E D: the lowest bid received, that of Greenscape, Inc., in the amount of $68, 995.00.

2. Report of Mrs. Overton Bussell and Miss McLaughlin, April 23, recommending approval of Project No. P01-2129-C1A, with Fleet Environmental Services, Inc., for removal of contaminated soils and trench shoring for the underground fuel tank at the Leo J. Martin Golf Course Clubhouse, Weston.
Cost - $2,200.00.
Funding from Account No. 2440-4421.
The Commission V O T E D: Approved.

Adjourned at 10:00 a.m., to meet on Thursday, May 3, 2001, at 9:00 a.m.

William F. Bussell
Secretary

Record of the Three Thousand Nine Hundred and Eighty First (3981st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 3, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 19, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, April 23, recommending approval of the following on Contract No. P93-1672-C4A, with N.E.L. Corporation, for Remedial Repairs to First Street Bridge, Cambridge –

Extra Work Claim No. 1 Additional detail and calculation work for counterweight steel	**$1,440.42**
Extra Work Claim No. 2 Additional cost for a bolted side splice on deck grating	**$2,912.35**
Extra Work Claim No. 3 Additional cost for seal welding around gusset plates on counterweight steel	**$1,017.61**
	Total - $5,370.38

Funds are available in Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of $1,440.42.
The Commission further V O T E D: to approve Extra Work Claim No. 2, in the amount of $2,912.35.
The Commission further V O T E D: to approve Extra Work Claim No. 3, in the amount of $1,017.61.

2. Report of Messrs. Faucher and Johnston, April 26, requesting approval to extend the duration of services from June 30, 2001 to June 30, 2002, on Professional Services Contract No. P87-1447-M1A with GZA GeoEnvironmental, Inc., for Geotechnical Engineering Advice. (At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Misslin and Brooks, April 27, requesting that the Commission amend its vote of February 15, 2001, awarding Contract No. P01-2116-M1A, for Services and Repairs to all MDC Swimming Pools and Filtration Systems, to Allied Weatherproofing Company, in the amount of $618,000.00, to reflect the correct bid price of $618,400.00.
Funds are available in Account No. 2440-0010-NN.
The Commission V O T E D: to amend its vote of February 15, 2001, awarding Contract No. P01-2116-M1A, for Services and Repairs to all MDC Swimming Pools and Filtration Systems,

to Allied Weatherproofing Company, in the amount of $618,000.00, to reflect the correct bid price of $618,400.00.

1. Report of Messrs. Faucher, Lenhardt, Griffin and Miss Peterson, April 27, recommending that the Commission reject the bid of Tasco Construction, Inc., the sole bidder with a proposal of $176,000.00 on Contract No. P85-1341-C3A, for Repairs to Concrete Stairways, Lynn Shore Drive, Lynn, as it was found to be unacceptable.
Messrs. Faucher, Lenhardt, Griffin and Miss Peterson further request permission to readvertise the project.
The Commission V O T E D: to reject the bid of Tasco Construction, Inc., the sole bidder with a proposal of $176,000.00 on Contract No. P85-1341-C3A, for Repairs to Concrete Stairways, Lynn Shore Drive, Lynn, as it was found to be unacceptable.
The Commission further V O T E D: permission to readvertise the project.

2. Report of Messrs. Faucher, Carrigan and Machado, April 26, recommending approval of a revision in quantities on Item No. 061-010 – Black Vinyl Clad Chain Link Fence, 8 feet high – at a cost of $19,937.50, on Contract No. P00-2087-C1A, with D'Allessandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 059-010 – Black Vinyl Clad Chain Link Fence 6 Feet high).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Carrigan, April 27, recommending approval of the request of N.E.L. Corporation, Contractor on Contract No. P00-2088-C1A, for Remedial Repairs to the Bridge Deck and Ramps on the Bowker Overpass, to engage the services of Superior Sealcoat, Inc., for Item No. 014-010 - Expansion Joint Replacement (Asphaltic Plug Type Joint) – at a cost of $23,200.00.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Misslin, Brooks and Sodano, April 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2126-M1A, for Maintenance and Service of HVAC Systems at Various Flood Control/Navigation Sites.
Estimated Cost – for the two-year Project is $118,000.00. FY02 - $59,000.00 - FY03 – $59,000.00. Contingent upon the appropriating of funds in Account No. 2440-0010 for FY02 and FY03.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2126-M1A, for Maintenance and Service of HVAC Systems at Various Flood Control/Navigation Sites.

5. Report of Messrs. Faucher, Misslin, Brooks and Sodano, April 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2127-M1A, for Maintenance and Service to Underwater Structures at Various Flood Control/Navigation Sites.

Estimated Cost - for the two-year Project is $190,000.00. FY02 - $95,000.00 - FY03 – $95,000.00.
Contingent upon the appropriating of funds in Account No. 2440-0010 for FY02 and FY03.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2127-M1A, for Maintenance and Service to Underwater Structures at Various Flood Control/Navigation Sites.

1. Report of Messrs. Faucher and Lenhardt, April 30, requesting approval of Extra Work Order No. 4 – for reinforcing the center strip of the existing bridge in order to implement the traffic maintenance plan for the phased construction – at a cost of $34,557.00, on Contract No. P96-1819-C1A, with Boston Building & Bridge Corp., for Rehabilitation of Sweetser Bridges (Nos. 20 and 25), Everett.
Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $34,557.00.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, April 26, requesting authorization to expend an additional $30,000.00 within this Fiscal Year from Account No. 2440-8886, for costs related to the preparation of park lands for acquisition and all purposes consistent with section 2 of Chapter 15 of the Acts of 1996, as amended, and thereby raise the total expenditure authorized under Open Order Contract No. GC01-2001 to $290,000.00.
The Commission V O T E D: authorization to expend an additional $30,000.00 within this Fiscal Year from Account No. 2440-8886, for costs related to the preparation of park lands for acquisition and all purposes consistent with section 2 of Chapter 15 of the Acts of 1996, as amended, and thereby raise the total expenditure authorized under Open Order Contract No. GC01-2001 to $290,000.00.

3. Report of Mr. Gray, April 30, recommending that the Commission adopt an Order of Taking for approximately 27.85 acres of land owned by Robert DeSanctis, also known as L. Robert DeSanctis, Trustee of Walnut Street Realty Trust, located mostly in the Town of Saugus and partially in the City of Lynn, Massachusetts, and to approve an award of damages in the amount of $800,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39, and 44A, and General Laws, Chapter 79A, Section 1 et seq.
The Commission V O T E D: to adopt an Order of Taking for approximately 27.85 acres of land owned by Robert DeSanctis, also known as L. Robert DeSanctis, Trustee of Walnut Street Realty Trust, located mostly in the Town of Saugus and partially in the City of Lynn, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 3, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Saugus and the City of Lynn in the County of Essex and Commonwealth of Massachusetts, namely:

Four certain parcels of woodland lying in the "Lynn Woods" in the northeasterly part of the said Town of Saugus, easterly of Great Woods Road, Laura Lee Circle and Woodland Avenue, southerly of the City Of Lynn's Walden Pond Reservoir and northerly of the City of Lynn's Birch Pond Reservoir, bounded, for the most part, by lands of the Town of Saugus and of the City of Lynn, more particularly bounded and described as follows:

Parcel A-17

A certain parcel of woodland in Saugus called the "Hussey Lot" and containing 10 acres and 16 square rods, more or less, or 10.1 acres, lying in the 8th Range of Lynn Woods, and bounded as follows:

Beginning at a point in a stone wall, at land, formerly, of Victoria A. & Tracy P. Hawkes, now or formerly, of Thomas & Madeline Fitzgerald (See deed recorded with Essex Southern Registry of Deeds at Book 6331, Page 627 and Saugus Assessors F14-1-12), said point marking the northwesterly corner of the parcel herein being described, thence;

Northerly by the Range Line, on land of the City of Lynn (see Saugus Assessors F15-1-2), about 32 rods and 16 links, or 538.56 feet, more or less, to a pile of stones, thence;

Easterly by land, formerly of A.H. Coburn (see Parcel A-16 described below), about 40 rods and 14 links, or 669.24 feet, more or less, to a pile of stones, thence;

Southerly by the Range Line on land, formerly of Levi G. Hawkes, now of the Town of Saugus (see Parcel A-14, Saugus Assessors F14-1-14 and the Treasurers Deed recorded with Essex Southern District Registry of Deeds at Book 3789, Page 246), about 10 rods and 18 links, or 176.88 feet, more or less, to a point, thence;

Still Southerly by the Range Line on land, formerly of owner unknown, now partially land of the aforesaid Town of Saugus (see Parcel A-14, Saugus Assessors F14-1-14 and the deed citation above), and partially land supposed to belong to the City of Lynn (see Saugus Assessors F12-8-1), to a pile of stones, thence;

Westerly by land, formerly of Samuel Hawkes, now supposed to be of the City of Lynn (see Saugus Assessors F12-8-1), about 35 rods and 3 links, or 240.9 feet, more or less, to a point in a stone wall, thence;

Still Westerly by said stone wall, on land, formerly of V. A. & T. P. Hawkes, now or formerly, of Lori M. Jordan, Linda & Salvatore Sicari, and of the aforesaid Thomas & Madeline Fitzgerald (see the deed recorded with said Deeds at Book 14972, Page 359, Land Court Certificate #355802 in Registration Book 360 at Page 7043 and the deed recorded with said Deeds at Book 6331, Page 627 and Saugus Assessors F14-1-26, F14-1-22 and F14-1-12), about 27 rods and 2 links, or 446.82 feet, more or less, to the northwesterly corner of the parcel herein described, being the point and place of beginning. [For further identification of this last course see Lots 3,2,1 and 14 upon the plan entitled "Plan Of Great Woods Park Addition Owned By Robert Evans Situated in Saugus, Mass.", dated May 27, 1916, prepared by Eastman & Bradford, Civil Engineers, 36 Exchange St., Lynn, Mass., which plan is recorded with said Deeds as Plan 6 in Plan Book 29.]

Parcel A-16

A certain parcel of woodland in Saugus called the "Hussey Lot", containing about 4 acres, bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a stone bound on the Range Line, said point being at the northeasterly corner of Parcel A-17, thence;

Northerly 16 rods, or 264 feet, on the Range Line, by land of the City of Lynn (see Saugus Assessors F15-1-2), thence;

Easterly about 40 rods, more or less, by estimate, or 660 feet, more or less, by land of said City (see Saugus Assessors F15-1-2), thence;

Southerly 16 rods, or 264 feet, on the Range Line, by land, formerly of the Louis P. Hawkes estate, now of the Town of Saugus (see Lot A-14, Saugus Assessors F14-1-14 and the Treasurers Deed recorded with said Deeds at Book 3789, Page 246), thence;

Westerly about 40 rods, more or less, by estimate, or 660 feet, more or less, by land, formerly of the Louis P. Hawkes estate, being the parcel described above as Parcel A-17, to the point and place of beginning.

Note that the two parcels described above, A-17 & A-16, are represented upon Saugus Assessors Plan F14 Block 1 as Lot 13.

Parcel A-8

A certain woodlot in Saugus, containing 3.75 acres, in the 11th Range, 2nd Division of Lots in Lynn Woods, having been laid out to Benjamin Fuller, bounded and described as follows:

Northerly	by Lot A-19 [Saugus Assessors F13-2-3], land of the Town of Saugus (see deed recorded with said Deeds at Book 4004, Page 163), thence;
Easterly	by Lot A-9 [Saugus Assessors F13-2-6], land of the Town of Saugus (see Treasurers Deed recorded with said Deeds at Book 4383, Page 527), thence;
Southerly	by Lot A-4 [Saugus Assessors F13-2-11], land, formerly of the Silver Heirs, later of J.S. Krzywicki, and now of the Town of Saugus (see deed recorded with said Deeds at Book 6859, Page 160), thence;
Westerly	by Lot A-7 [Saugus Assessors F13-2-8], land of the Town of Saugus (see Treasurers Deed recorded with said Deeds at Book 4383, Page 527).

Parcel A-8 is represented upon Saugus Assessors Plan F13 Block 2 as Lot 7.

Parcel A-3*

A certain parcel of woodland situated mostly in Saugus and partially in the City of Lynn, in the 2nd Division, 2nd Draft and 12th Range of Lots in Lynn Woods, laid out to Elisha Fuller and Thomas Norwood, bounded and described as follows:

Northeasterly	on the Range Line, by land of the City of Lynn,
Southeasterly	on the Range Line, by land, formerly of Newhall, now partially of the Town of Saugus (see Lot A-2, Saugus Assessors G12-1-1 and the deed recorded with said Deeds at Book 3582, Page 376) and partially supposed to be of the City of Lynn (see Lot A-1, Saugus Assessors F12-8-1),
Southwesterly	by land, formerly of Silver, now of the Town of Saugus (see Lot A-4, Saugus Assessors F13-2-11 and the deed recorded with said Deeds at Book 6859, Page 160),
Northwesterly	by land supposed to be of the City of Lynn (see Lot A-9, Saugus Assessors F13-2-6 and the Treasurers Deed to the Town of Saugus recorded with said Deeds at Book 4383, Page 527) and land, formerly of Anna P. Danforth, later of Philip A. Chase, and now of the Town of Saugus (see Parcel A-10, Saugus Assessors F13-2-13 and the Treasurers Deed recorded with said Deeds at Book 4383, Page 5270.

Containing 8 acres, more or less, within the Town of Saugus, and 2 acres, more or less within the City of Lynn.

*IT IS NOTED that the current and prior deed descriptions for the parcel described above as Parcel A-3 call for an area of 10 acres, more or less, but only 8 of those acres lie within the bounds of the Town of Saugus, the other 2 acres, more or less, are within the City of Lynn. (See the Deed from Anna P. Danforth to Philip A. Chase dated 30 December 1899 and recorded with said Deeds on January 11, 1900 at Book 1599, Page 540 and the subsequent deeds in the chain of title for this property).

The 8+/- above-described Parcel A-3 is represented upon Saugus Assessors Plan F13 Block 2 as Lot 12, a parcel of 8 acres, more or less. The 2+/- acre portion of this lot lying within the City Of Lynn is not shown on that City's Assessors Maps.

All parcels referred to above by a capital A followed by a numeric character are shown upon Saugus Assessors old Tax Map Sheet 1045 dated 1943 and recorded with said Deeds.

EXHIBITS

Attached hereto and to be made a part hereof, are Exhibit A, a copy of a plan entitled LYNN WOODS prepared by the Lynn Park Department and dated 1948 showing the locus of the above described lots, and Exhibit B, a copy of an enlarged portion of Exhibit A, marked to show the above described lots, and their locations in relationship to significant geographic features.

The total area of the parcels described above and intended to be taken herein and hereby is calculated, from prior deed description and Assessors Map information, to be 27.85 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being most of the same premises described as Parcel I in a deed from L. Robert DeSanctis to Charles E. Schaub, Jr., Trustee of the Walnut Street Trust u/d/t/ dated December 31, 1980, which deed, dated 15th January 1981, is recorded with Essex Southern District Registry of Deeds at Book 6871, Page 152, And all of the same premises described in a deed from Robert DeSanctis, Leon Asadoorian and Joseph Pascuccio, tenants in common, to Robert DeSanctis, Trustee of Walnut Street Trust u/d/t/ dated December 31, 1980, recorded with Essex Southern District Registry of Deeds at Book 6871, Page 145, which deed, dated 10th October 1989, is recorded with Essex Southern District Registry of Deeds at Book 10184, Page 343.[Note that Charles E. Schaub, Jr. resigned as trustee of Walnut Street Trust, and was replaced by L. Robert DeSanctis by an instrument dated November 14, 1988, recorded with said Deeds on December 12, 1988 at Book 9814, Page 283.]

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts

and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Saugus and of the City of Lynn, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
L. Robert DeSanctis, Trustee of Walnut Street Trust	$ 800,000

The Commission further V O T E D: to approve an award of damages in the amount of $800,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39, and 44A, and General Laws, Chapter 79A, Section 1 et seq.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien and Ms. Garnett, April 27, requesting approval of Amendment No. 3, for an extension of time from March 30, 2001 to October 31, 2001, to provide environmental monitoring of the site as required by the Department of Environmental Protection, on Contract No. PL97-044-S1A with Camp Dresser and McKee, Inc., for Pope John Paul II Park, Dorchester.
(At no additional Contract cost).
The Commission V O T E D: Approved.

2. Report of Mr. Jewett, April 30, requesting approval of an Amendment to Open Order Contract No. GC01-2001, for Professional Real Estate Appraisal Services – Park Land Acquisition Program FY2001, as approved by the Commission November 30, 2000, with Meredith & Grew, Inc., which increases the number of Assignments from 13 to 15 and increases the value of work by $13,500.00, for a total of $60,550.00.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Funding from Account No. 2440-8886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission

1. Report of the Concession Selection Committee (CSC), April 30, recommending that the Commission rescind the vote of March 28, 1998 awarding a fixed location concession Permit to Boston Pushcart, Inc., for the 1998-1999-2000-2001 and 2002 summer seasons at Constitution Beach and authorization be granted to CSC to readvertise the food service as a mobile food concession for the period of 2001 and 2002 with a one year option to renew.
(The original Permit was not executed by Boston Pushcart, Inc., and the stand did not open due to an ongoing bathhouse demolition and construction project at the beach).
The Commission V O T E D: to rescind the vote of March 28, 1998 awarding a fixed location concession Permit to Boston Pushcart, Inc., for the 1998-1999-2000-2001 and 2002 summer seasons at Constitution Beach, as recommended by the Concession Selection Committee in their report of April 30, 2001.
The Commission further V O T E D: authorization be granted to CSC to readvertise the food service as a mobile food concession for the period of 2001 and 2002 with a one year option to renew.

2. Report of Mrs. Overton Bussell, April 30, requesting approval of an Amendment to Contract No. P95-1806-C2A, with Digital Graphics, Inc., for Back to the Beaches Fabricated Banners and Installation along Boston Harbor Beaches (South Boston Beaches, Wollaston and Short Beach), which increases the cost of the Contract by $1,500.00, to an amount not-to-exceed $36,500.00, for reinstalling banners for the 2001 summer season.
Funding from Account No. 2440-8956.
The Commission V O T E D: Approved.

Adjourned at 9:35 a.m., to meet on Thursday, May 10, 2001, at 9:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Nine Hundred and Eighty Second (3982nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 10, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 26, 2001, were read and approved.

The Secretary submitted for signature the following paper which was signed the Acting Commissioner and three Associate Commissioners:

1. Amendment, dated May 10, 2001, to Contract-Agreement No. P92-1660-D1A, with Goodkind and O'Dea, Inc., for Design Services for Substructure Repairs to the Neponset River Bridge.

2. Amendment, dated May 10, 2001, to Contract-Agreement No.P97-1905-D1A, with Vollmer Associates, for Rehabilitation of the Thompson Center, Hyde Park.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 3, recommending approval of the action of Deputy Commissioner Faucher, on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation Phase II, resulting Extra Work Orders, as follows -

Extra Work Order No. 31 **$3,707.61**
for reconstruction of a sunken catch basin at Carson Beach parking lot.

Extra Work Order No. 32 **$ 903.69**
for furnishing eight additional lamps and lenses for new bollard lights at M Street Beach entrances.

Extra Work Order No. 33 **$2,715.60**
for connecting electrical service to the new gazebo at Fitzgerald Circle to the electrical service panel.

Mrs. Overton Bussell and Messrs. Faucher and Orfant further recommend approval of the following Extra Work Claim –

Extra Work Claim No. 4 **$2,720.97**
for work associated with a new water service installed on behalf of the Boston Water and Sewer Commission.

Mrs. Overton Bussell and Messrs. Faucher and Orfant further recommend approval of the following Alteration -

Alteration No. 8 - Credit to the Commission **$1,222.42**
to reimburse the Commission for the cost of telephone services.

(Extra Work Order Nos. 31, 32, 33 and Extra Work Claim No. 4 are at no increase in contract cost as they will be offset by unused quantities in Item No. 028-012 – Beach Mat, Item No. 100-002 – Information Materials and the credit to be created by Alteration No. 8 – in the

amount of $1,222.42 – payable to the Commission by the Contractor for use of MDC telephone in the Resident Engineers Field Office – under Contract Item No. 100-001 – General Conditions.

Mrs. Overton Bussell and Messrs. Faucher and Orfant further request an extension of time from March 30, 2001 to June 30, 2001 to complete extra work items.

The Commission VOTED: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order Nos. 31, 32 and 33 on Contract No. P95-1784-C3A.

The Commission further VOTED: to approve Extra Work Order No. 31, in the amount of $3,707.61.

The Commission further VOTED: to approve Extra Work Order No. 32, in the amount of $903.69.

The Commission further VOTED: to approve Extra Work Order No. 33, in the amount of $2,715.60.

The Commission further VOTED: to approve Extra Work Claim No. 4, in the amount of $2,720.97.

The Commission further VOTED: to approve Alteration No. 8, a Credit to the Commission, in the amount of $1,222.42.

The Commission further VOTED: to approve an extension of time from March 30, 2001 to June 30, 2001, as recommended by Mrs. Overton Bussell and Messrs. Faucher and Orfant, in their report of May 3, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 4, recommending approval of the following Extra Work Orders on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program –

Extra Work Order No. 10 - replacing a non functioning tide gate at Tenean Beach, Dorchester – at a cost of $5,423.13 – to be offset by unused quantities in Item No. S-02-002.

Extra Work Order No. 11 – for demolition of the existing Savin Hill Playground and the installation of a new facility – at a cost of $180,228.51, a sum of $80,228.51 of the cost to be offset by a portion of the credit provided by previously approved Alteration No. 2. Funding for the additional $100,000.00 from Account No. 2440-8956.

The Commission VOTED: to approve Extra Work Order No. 10, in the amount of $5,423.13.

The Commission further VOTED: to approve Extra Work Order No. 11, in the amount of $180,228.51.

2. Report of Messrs. Faucher and Griffin, May 4, recommending approval of Extra Work Order No. 3 – for structural steel repairs at Craigie Drawbridge, Boston – at a cost of $14,912.96, on Contract No. P00-2045-C1A, with N.E.L. Corporation, for Repair of Craigie Drawbridge, Boston.

Account No. 2490-2001.

The Commission VOTED: to approve Extra Work Order No. 3, in the amount of $14,912.96.

3. Report of Messrs. Faucher, Misslin, Brooks and Sodano, May 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2117-C1A, for Pump Station Rehabilitation Work at Storrow Drive West Side Pump Station.

Estimated Cost - $65,000.00 – contingent upon appropriation of funds in Account No. 2490-0017 for FY2002.
Time for Performance – one month from notice to proceed.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2117-C1A, for Pump Station Rehabilitation Work at Storrow Drive West Side Pump Station.

1. Report of Messrs. Faucher and Soroka, May 4, recommending approval of a revision in quantities on Item No. 015-015 – Traffic Signal Cable 15 conductor – at a cost of $750.00, on Contract No P00-2034-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems – Charles River Basin Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 018-010 – Traffic Signal Loop Detector).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lenhardt, May 2, recommending approval of the following revision in quantities and alteration, on Contract No. P84-1276-C1A, with SPS New England, Inc., for Repairs to Cambridge Viaduct, Cambridge –

Revisions in Quantities		
Item No. 001-010 – Pile Repairs	-	$38,128.20
Item No. 002-010 – Pile Cap Repair	-	$41,694.20
Alteration (a credit to Alteration No. 1)		
Alteration No. 1 – 5000 psi cement concrete	-	$ 5,409.25
Total	**-**	**$74,413.15**

Funding from Account No. 2490-2001.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of May 2, 2001.

Action was taken upon the following Various Matter:

3. Report of Mr. Jewett, May 7, on behalf of a Consultant Selection Committee requesting selection of Environmental Science Services, Inc., for Ponkapoag Pond Site Monitoring Plan, Contract No. P01-2114-S1A.
Compensation – not-to-exceed $40,000.00 and paid on an hourly rate basis.
Time for Performance – two years.
Account No. 2440-4420.
The Commission V O T E D: to approve the selection of Environmental Science Services, Inc., for Ponkapoag Pond Site Monitoring Plan, Contract No. P01-2114-S1A.
Associate Commissioner Elkort did not participate in discussion or vote on this item.

Adjourned at 9:45 a.m., to meet on Thursday, May 17, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Eighty Third (3983rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 17, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 3, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks, Misslin and Haider, May 8, requesting approval of a revision in quantities on Item No. 001-010 – Labor Hours – at an increase of $9,976.00, on Contract No. P00-2059-M1A, with P. J. Kennedy and Sons, Inc., for Service and Maintenance of HVAC Systems at Various Flood Control and Navigational Sites.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-040 – Parts and Materials).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Carrigan, May 7, recommending approval of an extension of time from May 13, 2001 to June 30, 2001, on Contract No. P01-2095-C1A, with SPS New England, Inc., for Replacement of Concrete Median Barrier, Nahant Beach Parkway, Nahant.
(At no increase in Contract cost).
The Commission V O T E D: to approve of an extension of time from May 13, 2001 to June 30, 2001, as recommended by Messrs. Faucher and Carrigan in their report of May 7, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Misslin, Brooks and Abounaja, May 4, recommending approval of an extension of time from May 23, 2001 to December 30, 2001, on Contract No. P00-2039-D1A, with CDW Consultants, Inc., for Licensed Site Professional Services for Various MDC Contaminated Facilities.
(At no additional Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Misslin, Brooks and Abounaja in their report of May 4, 2001.

4. Report of Messrs. Faucher and Lenhardt, May 8, recommending approval of the request of the Contractor to engage the services of Boston Towing and Transportation Co., for Item No. 023-010 – Demolition of Superstructure (Removal and Re-Installation of Girders – at a cost of $200,000.00, on Contract No. P99-1986-C2A, with James A. Gross, Inc., for Repair of the John J. Beades Drawbridge, Boston.
The Commission V O T E D: Approved.
Associate Commissioner Rollins noting the lack of minority participation abstained from voting on this item.

1. Report of Messrs. Faucher, Misslin, Brooks and Martinez, May 8, requesting approval of an extension of time from May 1,2001 to May 31, 2001, on Contract No. P01-2113-CIA, with J. D'Amico, Inc., for Miscellaneous Structural Repairs at Various MDC Pools.
(At no increase in Contract Cost).
The Commission V O T E D: to approve an extension of time from May 1,2001 to May 31, 2001, as requested by Messrs. Faucher, Misslin, Brooks and Martinez in their report of May 8, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Misslin, Brooks and Haider, May 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P01-2125-MIA, for Maintenance and Service of HVAC Systems at Various MDC Facilities.
Estimated Cost - $145,000.00
FY 02 - $ 72,500.00
FY 03 - $ 72,500.00
Contingent upon appropriation of funds for both years in account No. 2440-0010.
Time for Performance – two years.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P01-2125-MIA, for Maintenance and Service of HVAC Systems at Various MDC Facilities.

3. Report of Messrs. Faucher, Misslin, Brooks, and Abounaja. May 10, recommending approval of an extension of time from July 21, 2001 to December 30, 2001, on Contract No. P00-2065-DIA, with GEI Consultants, Inc., for Licensed Site Professional (L.S.P.) Services for Various MDC Contaminated Sites.
(At no increase in contract cost).
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

4. Report of Messrs. Faucher, Misslin, Brooks and Abounaja, May 8, recommending approval of an extension of time from June 17, 2001 to June 17, 2002, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean-up at Various MDC Facilities.
(At no increase in contract cost).
The Commission V O T E D: to approve an extension of time from June 17, 2001 to June 17, 2002, as recommended by Messrs. Faucher, Misslin, Brooks and Abounaja in their report of May 8, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

5. Report of Messrs. Faucher, and Soroka, May 10, requesting authorization to transfer $30,000.00 to the Division of Capital Asset Management for a study for the Replacement of the Nahant Beach Bathhouse and a Halfway House.
Funding from Account No. 2440-8963.

The Commission V O T E D: authorization to transfer $30,000.00 to the Division of Capital Asset Management for a study for the Replacement of the Nahant Beach Bathhouse and a Halfway House.

1. Report of Messrs. Faucher, Carrigan and Machado, May 11, recommending approval of an extension of time from May 18, 2001 to June 30, 2001, on Contract No. P99-2019-C1A, with D'Allessandro Corp., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.
The Commission V O T E D: to approve an extension of time from May 18, 2001 to June 30, 2001, as recommended by Messrs. Faucher, Carrigan and Machado in their report of May 11, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Misslin and McCalla, May 11, recommending approval of a revision in quantities on Item No. 010-010 – Photo Cell (Twist) – at a cost of $1,248.00, on Contact No. P00-2030-M1A, with Coviello Electric and General Contracting Co., Inc., for Maintenance of Street Lighting Systems of MDC Parkways, Roadways and Properties at Various Locations.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 004-010 – Mercury Vapor Lamp 250W, 005-010 – Mercury Vapor Lamp 175W, 007-010 – High Pressure Sodium Lamp 400W, 015-010 – Mercury Fixture 400W and 021-010 – Miscellaneous Labor).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Carrigan and Machado, May 11, recommending approval of a revision in quantities on Item No. 061-010 – Black Vinyl Clad Chain Link Fence 8 Feet High – at a cost of $14,492.50, on Contract No. P00-2087-C1A, with D'Allessandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 059-010 – Black Vinyl Clad Chain Link Fence 6 Feet High).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks, Misslin and Gabra, May 14, on bids for Repair of Plumbing System at the Service Building at the Melnea Cass Swimming Pool, Roxbury.
(Messrs. Faucher, Brooks, Misslin and Gabra recommend acceptance of the lowest bid received, that of P. J. Kennedy & Sons, Inc., of $2,290.00).
The Commission V O T E D: to accept the lowest bid received, that of P. J. Kennedy & Sons, Inc., of $2,290.00.

5. Report of Messrs. Faucher and McCalla, May 11, recommending approval of revisions in quantities on Contract No. P00-2057-M1A, with Coviello Electric and General Contracting Company, Inc., for Electrical, Electronic and Sound System Maintenance at Sports Facilities, Recreation Areas and MDC Buildings Throughout the Metropolitan District, as follows –
Item No. 1 – Hourly Rate for Licensed Electrician **$ 24,750.00**

Item No. 3 – Hourly Rate for Helper	**$ 15,750.00**
Item No. 4 – Hourly Rate for Vehicle	**$ 5,400.00**
Item No. 6 – Materials, Components and Parts	**$ 57,311.35**
at a Total of -	**$103,211.35**

Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Lenhardt, May 4, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Orders on Contract No. P00-2046-C1A, with B & E Construction Corp., for Repair of Woods Memorial Bridge Deck, Everett/Medford, as follows –

Extra Work Order No. 6 for emergency response to place steel traffic plates over failed joint.	**$10,879.94**
Extra Work Order No. 7 for emergency response to re-weld loose steel traffic plate and additional welds to temporary traffic plates.	**$ 1,956.91**
Extra Work Order No. 8 for removal of temporary traffic plates, remove failed transition joint, and replace temporary traffic plates.	**$ 7,715.58**
at a Total of -	**$20,552.43**

Funding from Account No. 2490-2001.
The Commission V O T E D: to approve action of Deputy Commissioner Faucher, which resulted in Extra Work Orders on Contract No. P00-2046-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $10,879.94.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $1,956.91.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $7,715.58.

2. Report of Messrs. Faucher and Lenhardt, May 11, recommending approval of an Alteration and Revision in Quantities on Contract No. P99-1986-C2A, with James A. Gross, Inc., for Repair of John J. Beades Drawbridge, Boston, as follows –

Alteration No. 1 Concrete Barriers	**$49,500.00**
Revision Quantities – Item No. 012-010 Safety Signing for Construction Operations	**$25,000.00**
Total -	**$74,500.00**

Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $49,500.00.
The Commission further V O T E D: to approve the Revision in Quantities on Item No. 012-010, in the amount of $25,000.00.
Associate Commissioner Rollins noting the lack of minority participation by the sub-contractor on demolition of superstructure, abstained from voting on this matter.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 4, recommending approval of Extra Work Order, Alteration and Revision in Quantities on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation – Phase II, as follows –

Revisions in Quantities

Item No. 022-005 – Unclassified Excavation	$12,825.00
Item No. 028-006 – Reset Granite Curb	$10,800.00
Total	**$23,625.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in other items).

Extra Work Order

Extra Work Order No. 34 **$121,973.02**

for ten light bases, 2” conduit between light bases and handholes, sawcutting of pavement needed for resetting curb, survey work to establish finish grades for curb and sidewalk, 6” concrete pavement with black welded wire mesh and expansion joints every 30 feet and an allowance to cover any excess soils testing and disposal costs.

(At no increase in Contract cost as the Extra Work will be offset by unused quantities in other items).

Alteration No. 2 – to Extra Work Order No. 1 **$24,825.00**

This Alteration will increase quantities to provide 10 handholes and 1350 feet of 4” PVC electrical conduit.

(At no increase in Contract cost as the Alteration to the Extra Work Order will be offset by unused quantities in other items).

The Commission V O T E D: to approve the Revisions in Quantities in theamount of $23,625.00.

The Commission further V O T E D: to approve Extra Work Order No. 34, in the amount of 121,973.02.

The Commission further V O T E D: to approve Alteration No. 2 – to Extra Work Order No. 1, in the amount of $24,825.00.

2. Report of Mr. Faucher and Mrs. Graves Jones, May 11, requesting that the Commission amend the vote of September 28, 2000, on Contract No. P00-2032-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills District, by revising vote to read - that the source of funding for Extra Work Order No. 1, in the amount of $7,075.40, will be from unused quantities In Item Nos. 002-020 – Maintenance for Traffic Control Devices, 013-010 – Storage Room and Engineer’s Office and Item No. 018-010 – Traffic Signal Loops Detector Conductor, rather than Account No. 2444-9001.

The Commission V O T E D: to amend the vote of September 28, 2000, on Contract No. P00-2032-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills District, by revising vote to read - that the source of funding for Extra Work Order No. 1, in the amount of $7,075.40, will be from unused quantities In Item Nos. 002-020 – Maintenance for Traffic Control Devices, 013-010 – Storage Room and Engineer’s Office and Item No. 018-010 – Traffic Signal Loops Detector Conductor, rather than Account No. 2444-9001.

1. Report of Messrs. Faucher, Lenhardt, Griffin and Mrs. O'Brien and Miss Peterson, May 11, on bids for Neponset River Trail, Boston and Milton, Contract No. PL-93-023-C2A.
(Messrs. Faucher, Lenhardt, Griffin and Mrs. O'Brien and Miss Peterson recommend acceptance of the lowest adjusted bid received, that of D & C Construction Co., Inc./ Norwell Equipment Co., Inc./D & C Realty Trust, in the amount of $2,342,422.60).
The Commission V O T E D: Delete from Agenda.

2. Report of Messrs. Faucher, Lenhardt, Griffin and Mrs. O'Brien and Miss Peterson, May 11, on bids for Neponset River Trail, Boston and Milton, Contract No. PL-93-023-C2A.
(Messrs. Faucher, Lenhardt, Griffin and Mrs. O'Brien and Miss Peterson recommend acceptance of the lowest adjusted bid received, that of D & C Construction Co., Inc./ Norwell Equipment Co., Inc./D & C Realty Trust, in the amount of $1,790,932,60).
The Commission V O T E D: to accept the lowest adjusted bid received, that of D & C Construction Co., Inc./ Norwell Equipment Co., Inc./D & C Realty Trust, in the amount of $1,790,932.60.

3. Report of Messrs. Faucher, Misslin, Brooks and Haider, May 14, requesting approval of an extension of time from June 30, 2001 to July 31, 2001, on Contract No. P99-2005-M1A, with Patrick J. Kennedy & Sons, Inc., for Maintenance and Service of HVAC Systems at Various MDC Facilities.
(At no increase in Contract cost at this time).
The Commission V O T E D: to approve an extension of time from June 30, 2001 to July 31, 2001, as requested by Messrs. Faucher, Misslin Brooks and Haider in their report of May 14, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Mr. McGinn and Miss Austin, May 1, requesting approval of an Interagency Service Agreement with the University of Massachusetts at Amherst, Department of Civil and Environmental Engineering, for Water Quality in MDC Reservoirs, Contract No. WM02-026-SIA.
Time for Performance –Twenty-four months - July 1, 2001 through June 30, 2003.
Proposed Cost -$462, 848.00 – FY 02 - $216,914.00
FY 03 - $245,934.00
Funding for FY 02 in Account No. 2420-1400.
Funding for FY 03 contingent upon allocation in the FY 03 budget.
The Commission V O T E D: Approved.

5. Report of Messrs. McGinn and Scannell, May 11, submitting for approval and also authorization for Director of Watershed McGinn to execute on behalf of the Commission, a Memorandum of Agreement, between the MDC and Wachusett Greenways, for the Mass Central Rail Trail, which defines responsibilities and obligations for the long-term management and maintenance of the Rail Trail.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Director of Watershed McGinn to execute on behalf of the Commission, a Memorandum of Agreement, between the MDC and Wachusett Greenways, for the Mass Central Rail Trail.

1. Report of Mr. McGinn, May 11, requesting approval of Agreements between the MDC and the Town of Holden and the MDC and the Town of West Boylston to jointly award Final Phase Sewer Construction Contracts No. WM00-061-C1H and WM00-061-C1W, respectively; and further vote to approve the transfer of $823,332.00 to the Town of Holden and $3,214,377.00 to the Town of West Boylston for said Contracts; and further vote to authorize the Commissioner to execute the Agreements on behalf of the Commission once the Agreements have been executed by the Towns and sufficient funding sources have been identified.
The Commission V O T E D: to approve Agreements between the MDC and the Town of Holden and the MDC and the Town of West Boylston to jointly award Final Phase Sewer Construction Contracts No. WM00-061-C1H and WM00-061-C1W, respectively.
The Commission further V O T E D: to approve the transfer of $823,332.00 to the Town of Holden and $3,214,377.00 to the Town of West Boylston for said Contracts.
The Commission further V O T E D: to authorize the Commissioner to execute the Agreements on behalf of the Commission once the Agreements have been executed by the Towns and sufficient funding sources have been identified.

Action was taken upon the following matters relating to the Office of Planning:

2. Report of Mrs. O'Brien and Mr. Thurlow, May 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit proposals for Project No. PL00-0070-M1A, for Landscape Maintenance of Paul Revere Park, Charlestown.
Estimated Cost - $20,000.00.
Time for Performance – five months.
Account No. 2448-0052.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. PL00-0070-M1A, for Landscape Maintenance of Paul Revere Park, Charlestown.

3. Report of Mr. Haglund, May 10, requesting approval and execution of Amendments to the Interagency Service Agreements with the Massachusetts Highway Department, for North Point Park Design (No. 7279), Nashua Park (formerly Nashua Meadows) Design (No. 7568), and Historic Dam North and South Design (No. 7569), which extends time of performance from June 30, 2001 to June 30, 2003.
(At no increase in Cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendments, dated May 17, 2001, to the Interagency Service Agreements with the Massachusetts Highway Department, for North Point Park Design (No. 7279), Nashua Park (formerly Nashua Meadows) Design (No. 7568), and Historic Dam North and South Design (No. 7569), which were signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

1. Report of Mrs. Sylvester, May 9, submitting for approval and execution the annual Contract with the City of Boston for the Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston.
MDC obligation - $234,493.00.
Contract will expire – June 30, 2001.
The Commission V O T E D: Approved.
The Secretary submitted for signature Contract, dated May 17, 2001, with the City of Boston for the Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Jewett, May 11, on behalf of a Consultant Selection Committee, requesting selection of and authorization to prepare a Contract for execution with Aquatic Control Technology, Inc., for Charles River Lakes District Mechanical Weed Harvesting and Treatment Program – 2001, Contract No. PL01-073-S1A.
Compensation – not-to-exceed $100,000.00 – paid on a unit price basis.
Time for Performance – seven months.
Account No. 2440-0010.
The Commission V O T E D: to approve the selection of Aquatic Control Technology, Inc., for Charles River Lakes District Mechanical Weed Harvesting and Treatment Program – 2001, Contract No. PL01-073-S1A.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for Commission execution.

Action was taken upon the following matter relating to the Office of General Counsel:

3. Report of Mr. Gray and Mr. Collette, May 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 20.152 acres of land owned by Robert E. Colbert, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $ 210,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and General Laws, Chapter 79A, Section 1 et seq.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 20.152 acres of land owned by Robert E. Colbert, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 17, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Central Street, in the said Town of Boylston, more particularly bounded and described, as follows:

Beginning at an MDC concrete bound set at a point on the southerly line of Central street, at the northwesterly corner of the parcel herein being described, and the northeasterly corner of land, now or formerly, of Decrow Realty Trust (see deed recorded with Worcester District Registry of Deeds at Book 6149, Page 280);

Thence N. 66° 57' 50" E., by the southerly line of Central Street, 354.53 feet, to a point;

Thence N. 66° 05' 00" E., by the street line, 46.60 feet, to a concrete bound set, at land, now or formerly, of one Quist (see the deed recorded with said Deeds at Book 4310, Page 317), said bound marking the northeasterly corner of the property being described herein;

Thence S. 20° 33' 10" E., 318.00 feet, to a concrete bound set at the southwesterly corner of land, now or formerly, of the said Quist;

Thence N. 69° 00' 36" E., 136.87 feet, by land, now or formerly, of Quist, to a concrete bound set, at land, formerly, of Stanley D. & Elizabeth A. Askalis, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see the order of taking dated August 5, 1999 registered with the Worcester Registry District on September 2, 1999 as Document 70734, noted on Certificate of Title No. 7292 in Registration Book 37);

Thence S. 20° 33' 10" E., 270.48 feet, to a concrete bound found;

Thence S. 18° 26' 10" E., 336.96 feet, to the record location of a concrete bound, as shown on the abutters' land court plan;

Thence S. 20° 46' 50" E., 165.00 feet, to a point near a concrete bound found, at land, formerly of Barbara K. Smith and Natalie M. Matheson, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order

of taking dated July 9, 1998 recorded with said Deeds on 7/06/98 at Book 20274, Page 257) the last three courses being by land formerly of S.D. & E.A. Askalis;

Thence S. 34° 37' 16" W., 235.43 feet, by land formerly, of B.K. Smith & N.M. Matheson, to an MDC concrete bound set, at land, formerly of Bigelow Nurseries, Inc., now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated February 19, 1998 recorded with said Deeds on 3/19/98 at Book 19725, Page 243);

Thence N. 59° 32' 26" W., 346.50 feet, to concrete bound set;

Thence S. 32° 59' 23" W., 564.92 feet, to an iron rod set at a point on the lot line;

Thence S. 32° 59' 23" W., 313.80 feet, to a concrete bound set, at land, now or formerly, of Richard E. & Phyllis Fisher (see the deed recorded with said Deeds at Book 14001, Page 178), the last three courses being by land formerly of Bigelow Nurseries, Inc.;

Thence N. 66° 59' 43" W., 173.25 feet, to a drill hole set;

Thence N. 06° 59' 43" W., 168.00 feet, to an iron pipe found, at land, now or formerly, of one Jarvis (see the deed recorded with said Deeds at Book 3413, Page 469), the last two courses being by land, now or formerly, of R.E. & P. Fisher;

Thence N. 03° 00' 17" E., 270.00 feet, to an MDC concrete bound set;

Thence N. 26° 53' 32" E., 371.07 feet, to another MDC concrete bound set, at land, now or formerly, of Decrow Realty Trust, the last two courses being by land, now or formerly, of Jarvis;

Thence N. 50° 27' 50" E., 314.24 feet, to an MDC concrete bound set;

Thence N. 20° 33' 10" W., 574.98 feet, to an MDC concrete bound set at a point on the southerly line of Central street, being the point and place of beginning, the last two courses being by land, now or formerly, of Decrow Realty Trust.

Containing 20.152 acres, more or less, as shown, as Lot A, upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Boylston (Worcester County) Mass., Land Taking Plan For Watershed Protection", dated May 30, 1995, and prepared by Schofield Brothers of New England, Inc., which plan shall be recorded with Worcester District Registry of Deeds and made a part of this instrument.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Central Street which may be held by the supposed owner, and being the same premises described as Tract II in a deed from Colbert Associates, Inc. to Robert E. Colbert, dated December 28, 1988 and recorded with said Deeds at Book 11841, Page 112.

The above-described property is represented upon the Revised Boylston Assessors Tax Maps dated May 1997 as Parcel 14 on Map 36.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Robert E. Colbert	$ 210,000.00

The Commission further VOTED: to approve an award of damages in the amount of $ 210,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and General Laws, Chapter 79A, Section 1 et seq

Adjourned at 9:50 a.m., to meet on Thursday May 24, 2001, at 9:00 a.m.

William J. [illegible]
Secretary

Record of the Three Thousand Nine Hundred and Eighty Fourth (3984th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 24, 2001.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 10, 2001, were read and approved.

The Secretary submitted for signature the following papers which were signed the Commissioner and three Associate Commissioners:

1. Amendment, dated May 24, 2001 to Contract-Agreement No. P95-1806-C2A, with Digital Graphics, Inc., for Back to the Beaches Fabricated Banners and Installation Along Boston Harbor Beaches (South Boston Beaches, Wollaston and Short Beach).

2. Contract No. PL93-023-C2A, dated May 24, 2001, with D & C Construction Co., Inc./Norwell Equipment Co., Inc./D & C Realty Trust, for Neponset River Trail, Boston and Milton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 18, recommending approval of the request of the Contractor to engage the services of Pyramid Construction, as subcontractor - for Playground Installation – at a cost of $24,895.00, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks, Misslin and Haider, May 21, recommending approval of a revision in quantities on Item No. 001-010 – Diving Service – at a cost of $5,745.00, on Contract No. P00-2060-M1A, with Inner Space Services Inc., for Maintenance and Service to Underwater Structures at Various Flood Control/Navigational Sites. (At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 001-030 - Crane Service and 001-040 – Parts and Materials).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher, Misslin, Brooks and Haider, May 21, recommending approval of a revision in quantities on Item No. 001-010 – Hourly rate for Licensed Technicians – at a cost of $2,460.00, on Contract No. P00-2062-M3A, with The Entwistle Company, for Service to Hydraulic Systems at Various Flood Control and Navigational Sites. (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-020 – Hourly Rate for Overtime).
The Commission V O T E D: Approved.

6. Report of Messrs. Faucher, Brooks, Misslin and Gabra, May 21, recommending

rejection of the only bid, that of Greater Boston Co., Inc., in the sum of $18,980.00, on Contract No. P01-2124-C3A, for Removing, Disposing and Replacing the Current Double Steel Door and Furnishing and Installing a New Roll-Up Steel Door at the Service Building of the Melnea Cass Pool, Roxbury, due to the extremely high bid – engineer's estimate for the work was $6,000.00.
(Messrs. Faucher, Brooks, Misslin and Gabra further request authorization to readvertise the project).
The Commission V O T E D: to reject the only bid received, that of Greater Boston Co., Inc., in the sum of $18,980.00, on Contract No. P01-2124-C3A, for Removing, Disposing and Replacing the Current Double Steel Door and Furnishing and Installing a New Roll-Up Steel Door at the Service Building of the Melnea Cass Pool, Roxbury, due to the extremely high bid.
The Commission further V O T E D: authorization to readvertise the project.

1. Report of Messrs. Faucher, Brooks, Misslin and Gabra, May 18, recommending rejection of the only bid received, that of Greater Boston, Inc., in the sum of $27,900.00, on Contract No. P01-2124-C1A, for Furnishing and Installing a New Suspended Ceiling System at the Service Building at Melnea Cass Swimming Pool in Roxbury, due to the extremely high bid – engineers estimate for the work was $4,000.00.
(Messrs. Faucher, Brooks, Misslin and Gabra further request authorization to readvertise the project).
The Commission V O T E D: to reject the only bid received, that of Greater Boston, Inc., in the sum of $27,900.00, on Contract No. P01-2124-C1A, for Furnishing and Installing a New Suspended Ceiling System at the Service Building at Melnea Cass Swimming Pool in Roxbury, due to the extremely high bid.
The Commission further V O T E D: authorization to readvertise the project.

2. Report of Messrs. Faucher, Misslin and Brooks, May 21, recommending approval of the following revisions in quantities on Contract No. P00-2078-M2A, with Lewis Refrigeration Company, Inc., for Maintenance of Refrigeration Systems Located in Ice Skating Rinks Within the Metro Parks System –

Item No. 023-010 – Maintenance Service	$ 25,020.00
Item No. 025-010 – Materials and Parts	$ 78,288.00
Total -	$103,308.00

Funding from Account No. 2440-7992.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Lenhardt, May 23, requesting approval of Extra Work Order No. 9 – for rebuilding of the failed transition joint, rebuilding the supporting steel elements and the re-installation of the transition joint on the West bound roadway of Woods Memorial Bridge – at a cost of $62,266.78, on Contact No. P00-2046-C1A, with B & E Construction Corp., for Repair of Woods Memorial Bridge Deck, Everett/Medford.
Funding from Account No. 2490-0012.
The Commission V O T E D: to approve Extra Work Order No. 9, in the amount of $62,266.78.

1. Report of Messrs. Faucher and Lenhardt, May 18, recommending approval of the request of the contractor for an extension of time from May 30, 2001 to July 31, 2001, on Contract No. P00-2046-C1A, with B & E Construction Corp., for Repair of Woods Memorial Bridge Deck, Everett/Medford, due to need to repair the transition joint and supporting steel elements as well as schedule a weekend installation.
The Commission V O T E D: to approve an extension of time from May 30, 2001 to July 31, 2001, as recommended by Messrs. Faucher and Lenhardt in their report of May 18, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, May 7, requesting approval and execution of Amendment No. 4 to Contract-Agreement No. WM96-011-S1A, with GEI Consultants, Inc., for Follow-Up Investigation, Winsor Dam, Ware/Belchertown, which extends the completion date from June 1, 2001 to September 30, 2001, in order to allow for a review and coordination of recommendations for repairs and improvements in the Consultants' Final Report.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
As the Amendment did not arrive in time for Commission execution, the Commission V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Driscoll, May 9, requesting that the Commission authorize the MDC Permit Office to include as part of the permit with Kiewit Construction Company, permission for the firm (on behalf of Level 3 Communications) to install, maintain, operate, manage and control a long distance telecommunications network of fiber optic cable across Quinobequin Road, along the Charles River in Newton and Norumbega Road, along the Charles River in Weston.
As part of the mitigation package, Level 3 Communications has agreed to contribute to the Charles River Watershed Association $10,000.00 towards improvements to the Upper Charles Reservation Greenway.
Mrs. O'Brien and Mr. Driscoll further request that a boulder be placed at Forest Grove, including a plaque, recognizing the contributions of Marty Sender, an active Charles River Watershed Association Board member and a long time Charles River advocate.
The Commission V O T E D: to authorize the MDC Permit Office to include as part of the permit with Kiewit Construction Company, permission for the firm (on behalf of Level 3 Communications) to install, maintain, operate, manage and control a long distance telecommunications network of fiber optic cable across Quinobequin Road, along the Charles River in Newton and Norumbega Road, along the Charles River in Weston, as requested by Mrs. O'Brien and Mr. Driscoll in their report of May 9, 2001.
The Commission further V O T E D: to approve the placement of a boulder at Forest Grove, including a plaque, recognizing the contributions of Marty Sender, an active Charles River Watershed Association Board member and a long time Charles River advocate.

1. Report of Mrs. O'Brien, March 28, requesting renewal and execution of a Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land Acquisition and Master Planning for the period July 1, 2001 to June 30, 2002 – Contract No. PL01-072-S1A.
Cost not-to-exceed - $64,576.00.
Account No. 2490-8910 – of Chapter 33 of the acts of 1991.
The Commission VOTED: Approval to renew the Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land Acquisition and Master Planning for the period July 1, 2001 to June 30, 2002 – Contract No. PL01-072-S1A, as requested by Mrs. O'Brien in her report of March 28, 2001.
The Secretary then submitted for signature Contract-Agreement, dated May 24, 2001, with Daniel Driscoll which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. Haglund, May 18, recommending approval of the request of Spaulding Hospital to reconstruct a pier and related structures over and in the Charles River adjacent to the hospital on Nashua Street, Boston.
The Commission VOTED: to approve the request of Spaulding Hospital to reconstruct a pier and related structures over and in the Charles River adjacent to the hospital on Nashua Street, Boston, subject to the approval by the Planning Office of the final location of the floating dock, as recommended by Mr. Haglund in his report of May 18 and 24, 2001.

Adjourned at 9:40 a.m., to meet on Thursday, May 31, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Eighty Fifth (3985th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, May 31, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Rollins and Sheppard.

The Records of the Commission Meeting held on May 17, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Soroka, May 21, recommending approval of the following revisions in quantities on Contract No. P00-2034-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems Charles River Basin Districts –
Item No. 002-010 – Material, Components, Parts and Controls - $9,000.00
Item No. 017-010 – Detector Lead-in Cable - $ 400.00
Total - $9,400.00
(At no increase in Contract costs the revisions will be offset by unused quantities in Item Nos. 006-020 – Vehicle Signal Head Single Section 12" Lens, 002-020 – Maintenance for Traffic Control Devices and 015-009 – Traffic Signal Cable-9 Conductor).
The Commission V O T E D: Approved

2. Report of Messrs. Faucher and Kirwin, May 24, recommending approval of Amendment No. 1, to Contract-Agreement No. P96-1823-D1A, with Bruce Campbell & Associates, Inc., for Professional Traffic Engineering Services, which increases the Contract by $120,000.00 and extends the completion date from October 25, 2001 to May 31, 2002, in order to prepare plans, specifications and estimate for project to reconstruct and interconnect three existing traffic signal systems along Morton Street in Mattapan.
Funds are available for the design under Account No. 2490-0010.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Lenhardt, May 23, recommending approval of the following on Contract No. P84-1276-C1A, with SPS New England, Inc., for Repairs to Cambridge Viaduct, Cambridge –
Extra Work Order No. 1 - will add three items to the contract - necessary to seal joints on the concrete deck, as follows:
Item No. 1. Asphaltic Plug Joints $115,200.00

Item No. 2 – Sidewalk Joint	$ 6,000.00
Item No. 3 – Quick Set Deck Repair	$ 3,000.00
Total Cost of Extra Work Order No. 1 -	**$124,200.00**
Revisions in Quantities	
Item No. 010-010 – New Rail Installed.	$104,000.00
Item No. 010-020 – New Rail Cap Installed	$ 12,250.00
Total Cost of Revisions in Quantities -	**$116,250.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-020 – Epoxy Crack Repair, 003-010 – Temporary Beam Support, 004-010 – Bearing Assembly Replacement, 004-020 – Coring and Grouting Anchor Bolts, 007-010 – Engineer's Field Office and 011-010 – Traffic Control Services).
The Commission V O T E D: Approved.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 22, requesting that the Commission amend its vote of May 17, 2001 on Contract No. P95-1784-C3A with McCourt Construction Company for South Boston Beaches Rehabilitation Phase II, by deleting the words "at no increase in contract cost as the revisions will be offset by unused quantities in other items" under Revisions in Quantities; "at no increase in contract cost as the Extra Work will be offset by unused quantities in other items" under Extra Work Order No. 34, and "at no increase in contract cost as the Alteration to Extra Work Order will be offset by unused quantities in other items: under Alteration No. 2 to Extra Work Order No.1; and inserting the words: Funds are available for the Revisions in Quantities, Extra Work Order No. 34 and Alteration No. 2 to Extra Work Order No. 1 in Account No. 2490-0017.
The above cost will cause an increase in the total contract cost to $5,266,438.22. All other provisions of the May 17, 2001 Vote remain unchanged.
On questioning by Acting Commissioner Carr, Mr. Jewett explained that there were not enough funds in unused quantities to cover the revisions.
Therefore, he noted, funding will be taken from Account No. 2490-0017.
The Commission V O T E D: Approved.

2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 24, requesting approval of Amendment No. 2, to Contract No. P97-1987-D1A, with Parsons, Brinkerhoff, Quade & Douglas, Inc., for Winthrop Shores Reservation Restoration, which increases the Contract by $16,470.00, for additional services beyond the original scope of work.
Funds are available in Account Nos. 2440-8956 and 2490-0017.
The Commission V O T E D: Approved

3. Report of Messrs. Faucher, Misslin and Brooks, May 25, recommending approval of a revision in quantities on Item No. 025-010-Materials and Parts – at a cost of $27,712.59, on Contract No. P00-2078-M2A, with Lewis Refrigeration Company, Inc., for

Maintenance of Refrigeration Systems located in the Ice Skating Rinks within the Metropolitan System.
(At no increase in Contract cost as the revision will be offset by unused quantities in other items).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, May 25, requesting approval of an Amendment to Open Order Contract No. GCO1-2002, for Watershed Land Acquisition Program FY 2001-Professional Real Estate Title Examination Services, as approved by the Commission on April 26, 2001, by increasing the value of the Contract with the Law Offices of Peter E. Flynn by $5,255.00 to a total of $28,265.00 and the Assignments by 8 to a total of 29. Mr. Jewett further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Account No. 2421-9936.
Completion Date – by June 30, 2001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

2. Report of Mrs. Overton Bussell and Mr. Murphy, May 21, requesting approval of a Debris Management Program for the recycling and/or disposal of materials and related debris found at Commission facilities in compliance with Executive Order 350 and associated environmental regulations.
Funding is available through Chapter 55 and an ISA between DCAM and the MDC-cost not-to-exceed $25,000.00 in Account No. 2440-4994.
The Commission V O T E D: Approved.

3. Report of Mr. Gray, May 25, requesting that the Commission adopt an order of taking for the acquisition of approximately 6.4009 acres of land owned by various landowners located in the Towns of Holden and West Boylston, and the City of Worcester, Massachusetts, for sewer, sewage pumping and drainage purposes, and to approve awards of damages in the total amount of $291,530.00 together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A; and further vote to acquire any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of Holden and West Boylston required to complete said project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon the completion of said construction; and further vote to transfer any and all rights and interests in real property acquired for said project and in the sewer, sewage pumping and drainage constructed under said project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act.

At this point, Mr. Gray requested that the Commission increase his request for sewer, sewage pumping and drainage purposes and to approve awards of damages in the total amount of $292,530.00 rather than $291,530.00, due to a last minute settlement with one of the property owners involved in the taking.

The Commission V O T E D: to adopt an order of taking for the acquisition of approximately 6.4009 acres of land owned by various landowners located in the Towns of Holden and West Boylston, and the City of Worcester, Massachusetts, for sewer, sewage, pumping and drainage purposes, and to approve awards of damages in the total amount of $292,530.00 together with such damages and costs as required under General Laws, Chapter 79, sections 6,12,39 and 44A.

The Commission further V O T E D: to acquire any and all temporary rights-of- way in and to the roads and ways under the control of the Towns of Holden and West Boylston required to complete said project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon the completion of said construction.

The Commission further V O T E D: to transfer any and all rights and interests in real property acquired for said project and in the sewer, sewage pumping and drainage constructed under said project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of 1996, as determined by the Division of Watershed Management, for all purposes consistent with said Act.

The Commission further V O T E D: to approve Mr. Gray's request of an increase for sewer, sewage pumping and drainage purposes and approve awards of damages in the total amount of $292,530.00 rather than $291,530.00 due to a last minute settlement with one of the property owners involved in the taking.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 31, 2001

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Sections 2 and 63 of Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, and for sewer, sewage pumping and draining purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Holden and West Boylston and the City of Worcester, in the County of Worcester and Commonwealth of Massachusetts, on behalf of said Towns of Holden, West Boylston and the City of Worcester, namely:

Eighty-three (83) permanent easement interests in, on, under, to and through Sixty-seven (67) arcels of land and Six (6) fee interests in Six (6) parcels of land, all as situated in said Towns and shown on Eleven (11) sets of plans of Land in Holden, Worcester and West Boylston, MA. The following list of plans were prepared for Weston and Sampson Engineers, Inc. Peabody, MA, by Vaidya Consultants, Inc., Wilmington, MA, by John D. Church, P.L.S., on behalf of the Metropolitan District Commission Division of Watershed Management, contract # WM00-061-C1H (99-2H) dated February 16, 2000, contract # WM00-061-C1H (99-3H) dated June 30, 1999, contract # WM00-061-C1H (99-3H) dated March 12, 2001, contract # WM00-061-C1W (99-1W) dated February 16, 2000, contract # WM00-061-C1H (98-2H) dated June 18, 1999 sheet 4 of 4 revised September 8, 2000, contract #WM00-061-C3H (98-3H) and contract #WM00-061-C1H (98-3H) dated June 18, 1999, contract #WM97-061-C1H (97-1H) dated January 21, 1999 sheet 7 of 9 updated July 14, 2000 by William Ferro, contract #WM95-061-C1H (Barrus) dated June 28, 1996 revised November 9, 2000 by William Ferro and contract # WM95-061-C1H (Nolan) supplemental plan dated November 9, 2000 by William Ferro, and any and all applicable plans and contracts, which plans are on file with said Commission and which plans shall be recorded either simultaneously with this order of taking or at a later date with the Worcester District Registry of Deeds and incorporated herein and made a part of this order.

The Commission awards damages sustained by the supposed owners of the land herein mentioned by reason of said taking, in the following sums:

File #	Owner	Easement or Fee #	Acres	Book Page	Award
WM00-061-C1H (99-2H) Holden Easement/Fee Takings					
W-000844	3 Tucker Road Holden Realty Trust	Perm # 42	0.0482	16911 243	$1,050.00
W-000821	Anderson, Robert C & Joyce M	Perm # 18	0.0732	5795 159	$1,600.00
W-000806	Bertholet, John R & Tina	Perm # 2	0.0517	20044 55	$1,125.00
W-000846	Billsten, N Evad	Perm # 45	0.0931	Probate #02580	$2,030.00
W-000829	Boyce, Bernadette	Perm # 27	0.0287	3011 315	$625.00
W-000830	Boyce, John E & Sharon L	Perm # 28	0.0173	12630 308	$500.00
W-000841	Bulak, Mark D	Perm # 39	0.0517	16107 201	$1,125.00
W-000838	Burnham, Harold A & Ethel M	Perm # 36	0.1556	2796 140&201	$3,400.00
W-000816	Cappuccio, Carlo & Antonia	Perm #13	0.0689	12716 232	$1,500.00
W-000811	Carlson, Alan P	Perm # 8	0.0303	15712 181	$660.00
W-000843	Carlson, Rodney E & Judith D	Perm # 41	0.0401	11661 361	$875.00
W-000843	Carlson, Rodney E & Judith D	Perm # 43	0.0396	14400 18	$875.00
W-000815	Caron, Robert S & Christine J	Perm # 12	0.0436	6861 379	$950.00
W-000822	Casimasinas, Terry & Ellsworth, Donald	Perm # 19	0.0568	14269 130	$1,250.00

W-000814	Clark, Nancy M	Perm # 11	0.0551	7281 259	$1,200.00
W-000820	Dennis Paul H & Cheryl B	Perm # 17	0.0789	10880 173	$1,720.00
W-000840	Duquette, James A & Kelly M	Perm # 38	0.0521	17008 174	$1,140.00
W-000834	Durocher, Jennifer A & Daniel T	Perm # 32	0.0646	13040 110	$1,400.00

				Book	
File #	**Owner**	**Easement or Fee #**	**Acres**	**Page**	**Award**
WM00-061-C1H (99-2H) Holden Easement/Fee Takings (cont.)					
W-000813	Ekman, Karl G & Cynthia	Perm # 10	0.0487	19129 087	$1,060.00
W-000824	Falkenstern, Jan M & Richard C	Perm #21 H	0.0313	22246 156	$680.00
W-000831	Gillespie, Thomas C & Cynthia E	Perm # 29	0.0282	13489 082	$615.00
W-000805	Harrington, Diane M	Perm # 1	0.0379	17283 234	$825.00
W-000847	Holden, David F & Eileen A	Perm #47 H	0.1744	19563 155	$600.00
W-000833	Jeffers, David W & Diane M	Perm # 31	0.0273	5749 200	$600.00
W-000818	Kalinowski, David P & Paul W	Perm # 15H	0.0404	21849 026	$905.00
W-000817	Kewley, Frances R	Perm # 14	0.0409	4329 055	$890.00
W-000839	Lewis, Edward G & Ann L	Perm # 37	0.0409	4037 064	$890.00
W-000835	Ligor, John M & Suzanne E	Perm # 33	0.0287	4694 449	$625.00
W-000832	Mangsen, Joanne M	Perm # 30	0.0085	14904 040	$500.00
W-000812	Mardin, George I & Joan E	Perm # 9	0.0065	7957 386	$500.00

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W-000826	Merrill, Byron E & Mildred M	Perm # 24	0.0339	6741 082	$740.00
W-000842	Murphy, Daniel & Sharon	Perm # 40	0.0173	10181 147	$500.00
W-000810	Paquette, Russell J & Catherine A	Perm # 6	0.0698	3413 289	$1,520.00
W-000810	Paquette, Russell J & Catherine A	Perm # 7	0.0370	5415 304	$810.00

W-000827	Powers, Christopher M & Chaplis, Catherine A	Perm # 25	0.0414	19308 082	$900.00
W-000836	Quist, Helen M	Perm # 34	0.0287	7682 222	$625.00
				Book	
File #	**Owner**	**Easement or Fee #**	**Acres**	**Page**	**Award**
WM00-061-C1H (99-2H) Holden Easement/Fee Takings (cont.)					
W-000809	Salmonsen Linda I & Oberg, James R	Perm # 5	0.0259	18798 002	$565.00
W-000808	Sippach, Carl W	Perm # 4	0.0259	15440 276	$565.00
W-000828	Strait, Joel R	Perm # 26	0.0313	15815 078	$685.00
W-000807	Swenson, Zenaide & John E	Perm # 3	0.0345	18294 374	$750.00
W-000837	Tyrrell, James T & Kathleen M	Perm # 35	0.0316	10658 004	$690.00
W-000845	Werme, Kenneth P & Diahann P	Perm # 44	0.0177	13949 199	$385.00
W-000845	Werme, Kenneth P & Diahann P	Perm # 46	0.0637	13733 219	$1,390.00
W-000823	Wood, Maryann	Perm # 20	0.0460	16705 096	$1,000.00
		Sub Total	2.0679		$42,840.00
WM00-061-C1H (99-2H) Worcester Easement/Fee Takings					
W-000819	Cappuccio, Rocco & Ann Marie	Perm # 16	0.0339	19457	$740.00

W-000819	Cappuccio, Rocco & Ann Marie	Perm # 22	0.0460	5322 486	$1,000.00
W-000824	Falkenstern, Jan M & Richard C	Perm #21 W	0.0147	22246 156	$320.00
W-000847	Holden, David F & Eileen A	Perm #48 W	0.1581	19563 155	$500.00
W-000818	Kalinowski, David P & Paul W	Perm #15W	0.0427	21849 026	$905.00
W-000825	Shadbegian, Juliann	Perm # 23	0.0193	21695 141	$500.00
		Sub Total	0.3147		$3,965.00
WM00-061-C1H (99-3H) Holden Easement/Fee Takings					
W-000853	Bonnette, Edgar J & Ann	**Fee** # 1	0.0672	3808 459	$63,000.00
W-000894	The Seasons Development Corp	Perm # 3	0.0250	22377 205	$100.00

File #	**Owner**	**Easement or Fee #**	**Acres**	**Book**	**Award**
				Page	
WM00-061-C1H (99-3H) Holden Easement/Fee Takings (cont.)					
W-000893	The Seasons Development Corp	Perm # 2	0.7755	22377 205	$2,500.00
W-000892	Toscana Jr., Peter F	Perm # 1	0.1149	17959 016	$6,200.00
	Easement Sub Total	Sub Total	0.9154		$8,800.00
	Fee Sub Total		0.0672		$63,000.00
WM00-061-C1W (99-1W) West Boylston Easement/Fee Takings					
W-000848	Baldarelli Bros., Inc.	**Fee** # 1	0.0385	4999 117	$1,000.00
W-000849	Baldarelli Bros., Inc.	Perm # 1	0.4057	3071 451	$14,000.00
W-00851	Johnson, Howard & Lillian	Perm # 3	0.0866	12754 021	$2,900.00
W-000850	Santoian, Zaven J & R Joyce	Perm # 2	0.0229	3861 439	$750.00

	Easement Sub Total		0.5152		$17,650.00
	Fee Sub Total		0.0385		$1,000.00
WM97-061-C3H (98-2H) Holden Easement/Fee Takings					
W-000857	Deane, Evan P & Andrea P	Perm # 3	0.1504	20134 255	$500.00
W-000858	Jones, Mary H	Perm # 4	0.1248	17412 152	$1,400.00
W-000854	Thomas, James J & Wilbur, Janice A	**Fee** # 1	0.1185	8715 015	$60,000.00
W-000864	Wadsworth, Joseph J & Alice M	Perm # 5	0.0200	5002 258	$600.00
	Easement Sub Total		0.2952		$2,500.00
	Fee Sub Total		0.1185		$60,000.00
WM00-061-C1H (98-2H) Holden Easement/Fee Takings					
W-000856	Hart, Sharon F	Perm # 2	0.1203	18799 172	$500.00
W-000855	Lovely, Richard F & Barbara M	Perm # 1	0.2837	5559 134	$500.00
		Sub Total	0.4040		$1,000.00

File #	Owner	Easement or Fee #	Acres	Book Page	Award
WM97-061-C3H (98-3H) Holden Easement/Fee Takings					
W-000790	Chaffins Realty Company, Inc.	**Fee** # 1	0.0282	7848 350	$12,100.00
W-000790	Chaffins Realty Company, Inc.	Perm # 1	0.0050	7848 350	$500.00
W-000791	Leroux, Raymond A & Elizabeth A	Perm # 2	0.0461	5798 309	$2,500.00
W-000791	Leroux, Raymond A & Elizabeth A	Perm # 3	0.0143	5798 309	$2,500.00
	Easement Sub Total		0.0654		$5,500.00
	Fee Sub Total		0.0282		$12,100.00
WM00-061-C1H (98-3H) Holden Easement/Fee Takings					

W-000794	Koening, Walter a & Jean H	Perm # 4	0.1589	4215 593	$500.00
W-000795	Maplewood Realty of Worcester, Inc.	Perm # 5	0.0431	5046 410	$500.00
W-000796	Pahrik, Mary F.	Perm # 6	0.0126	6105 235	$500.00
W-000796	Pahrik, Mary F.	Perm # 7	0.0247	5751 173	$650.00
w-000796	Pahrik, Mary F.	Perm # 8	0.0219	5822 290	$500.00
		Sub Total	0.2612		$2,650.00
WM00-061-C1W (98-1W) West Boylston Easement/Fee Takings					
W-000797	Cook, George A & Lisa M	**Fee** # 1	0.0263	7859 027	$44,500.00
W-000803	Cummings, Elizabeth M	Perm # 6A	0.1170	3103 523	$6,500.00
W-000803	Cummings, Elizabeth M	Perm # 6B	0.0115	3103 523	$500.00
W-000798	Derrah, Charles A	**Fee** # 2	0.0259	11683 278	$8,575.00
W-000798	Derrah, Charles A	Perm # 1	0.0738	11683 278	$1,125.00
W-000801	Keirstead, Dale D & Susan a	Perm # 4	0.2780	12460 252	$1,500.00
W-000800	Peterson, Benjamin G K & Annmarie	Perm # 3	0.0093	16651 258	$500.00

File #	Owner	Easement or Fee #	Acres	Book	Award
				Page	
WM00-061-C1W (98-1W) West Boylston Easement/Fee Takings (cont.)					
W-000799	Peterson, Luella K	Perm # 2	0.0388	4135/14309 088/354	$500.00
W-000802	Sargent, Elizabeth A & John T	Perm # 5	0.0832	13449 345	$500.00
W-000804	Worcester Lodge No 56 IOOF	Perm # 7	0.1233	5145/5299 426/595	$2,500.00

	Easement Sub Total		0.7349		$13,625.00
	Fee Sub Total		0.0522		$53,075.00
WM97-061-C1H (97-1H) Holden Easements Revised					
W-000597	Harrington, Joseph D Jr. & Cynthia M	Perm # 14	0.0981	20145 107	$0.00
W-000595	MacPherson, Malcom J & Sandra L	Perm # 12	0.0638	9967 334	$0.00
W-000596	Marshall, Wilma S	Perm # 13	0.0664	8056 130	$4,300.00
		Sub Total	0.2283		$4,300.00
WM95-061-C1A Holden Easements Revised					
W-000391	Barrus, Ronlad L & Elaine D	C14/ 1A& 2A	0.1902	12160 351	$0.00
W-000859	Nolan, Matthew J & Deborah G	C 62	0.1039	9932 286	$525.00
		Sub Total	0.2941		$525.00
	Total Acreage and Cost of Easements		**6.0963**		**$103,355.00**
	Total Acreage and Cost of Fee Takings		**0.3046**		**$189,175.00**
TOTALS					
	Holden	Easements (66)	**4.5315**		**$68,115.00**
		Fee (3)	**0.2139**		**$135,100.00**
	West Boylston	Easements (11)	**1.2501**		**$31,275.00**
		Fee (3)	**0.0907**		**$54,075.00**
	Worcester	Easement (6)	**0.3147**		**$3,965.00**
		Fee (0)	**0.0000**		**$0.00**
	GRAND TOTALS	Total Acres	**6.4009**		**$292,530.00**

and intending to take hereby the above premises, howsoever the same may be bounded and described, and comprising approximately 6.4009 acres. Also meaning and intending to take hereby any and all temporary right-of ways in and to the roads and ways under the control of Holden, Worcester and West Boylston, Massachusetts, at no compensation, required to complete the construction of the MDC Waste Water Projects contract # WM00-061-C1H (99-2H), contract # WM00-061-C1H (99-3H), contract # WM00-061-C1H (99-3H), contract # WM00-061-C1W (99-1W), contract # WM00-061-C1H (98-2H), contract #WM00-061-C3H (98-3H) and contract #WM00-061-C1H (98-3H), contract #WM97-061-C1H (97-1H), and contract #WM95-061-C1H (Barrus & Nolan), and any and all other applicable contracts, for sewer, sewerage pumping and drainage purposes.

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of said Project.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby transfer any and all rights and interest in real property acquired for said project and in and to the sewer and sewer pumping and drainage system constructed under said Project, upon the completion of said construction, to the appropriate parties as designated and otherwise authorized by said acts and provisions, as determined by its Division of Watershed Management, for all purposes consistent with said acts and provisions.

1. Report of Mr. Jewett, May 29, requesting approval of an amendment to Open Order Contract No. GC01-2002, for Watershed Land Acquisition Program FY 2001- Professional Real Estate Appraisal Services, as approved by the Commission on March 1, 2001, by increasing the value of the Contract with Reynolds Company by $8,500.00 to a total of $79,125.00 and the Assignments by 1 to a total of 16.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Account No. 2421-9936.
Completion Date – by June 30, 2001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Adjourned at 9:30 a.m., to meet on Thursday, June 7, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Eighty Sixth (3986th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 7, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Sheppard.

The Records of the Commission Meeting held on May 24, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Soroka, June 1, recommending approval of extensions of time for milestones on Contract No. P99-1988-C1A, with MRP Site Development In., for Santilli Circle Safety Improvements, as follows –
Milestone 9 – Complete Landscape Improvements from May 15, 2001 to June 29, 2001.
Milestone 10 – Final Acceptance from June 15, 2001 to July 30, 2001.
The Commission V O T E D: to approve an extension of time from May 15, 2001 to June 29, 2001 on Milestone 9 and from June 15, 2001 to July 30, 2001 on Milestone 10, as recommended by Messrs. Faucher and Soroka in their report of June 1, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Lenhardt, May 29, recommending approval of the request of the Contractor for an extension of time from June 30, 2001 to July 6, 2001, on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park – Phase I, Neponset River Reservation.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 2001 to July 6, 2001, as recommended by Messrs. Faucher and Lenhardt in their report of May 29, 2001, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation

3. Report of Mr. Faucher and Mrs. Graves Jones, May 24, recommending approval of a revision in quantities on Item No. 002-020 – Maintenance for Traffic Control Devices – at a cost of $5,400.00, on Contract No. P00-2032-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 004-010 – Hourly Labor Rate for Licensed Electrician).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Lenhardt, June 1, requesting approval of Alteration No. 11, a revision to Extra Work Order No. 2 – mediation of railroad right of way to increase Item No. 12 – M.B.T.A. Flagging Services and a revision in quantities to Contract Item No. 14 – Rip-Rap Restoration – in the amount of $21,000.00 and expenditure of $21,000.00 from Alteration No. 2 – a Credit to the Commission to fund the increase in Contract Item No. 14 – Rip-Rap

Restoration on Contract No. PL97-044-C1A, with WES Construction Corp., for Pope John Paul II Park, Phase I, Neponset Reservation, Boston.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Lenhardt in their report of June 1, 2001.

1. Report of Messrs. Faucher, Misslin, Brooks and Martinez, June 4, recommending that the Commission terminate Contract No. P01-2098-C1A, with McConnell Enterprises, Inc., for Demolition of Abandoned Structures at the Old Canton Airport in Canton, as the buildings contained high volumes of asbestos, PCB and soil contamination.
Authorization is also requested to pay the Contractor $7,132.11 for work performed on this contract.
Funding from Account No. 2440-8886.
The Commission V O T E D: to terminate Contract No. P01-2098-C1A, with McConnell Enterprises, Inc., for Demolition of Abandoned Structures at the Old Canton Airport in Canton, as recommended by Messrs. Faucher, Brooks and Martinez in their report of June 4, 2001.
The Commission further V O T E D: Authorization to pay the Contractor $7,132.11 for work performed on this contract.

2. Report of Messrs. Faucher, Brooks, Misslin and Gabra, June 5, on bid for Installation of New Grid and Suspended Ceiling Panels for 1170 ft. of Ceiling at Service Building of Melnea Cass Swimming Pool, Roxbury, Contract No. P01-2124-C1A.
(Messrs. Faucher, Brooks, Misslin and Gabra recommend acceptance of the only bid received, that of R. Mullen and Associates, Inc., of $8,000.00).
The Commission V O T E D: to accept the only bid received, that of R. Mullen and Associates, Inc., of $8,000.00.

3. Report of Messrs. Faucher, Brooks, Misslin and Gabra, June 5, on bid to Remove, Dispose of and Replace the Current Steel Door and Furnish and Install a New Roll-Up Steel Door at the Service Building of the Melnea Cass Pool, Roxbury, Contract No. P01-2124-C3A.
(Messrs. Faucher, Brooks, Misslin and Gabra recommend acceptance of the only bid received, that of R. Mullen and Associates, Inc., of $8,900.00).
The Commission V O T E D: to accept of the only bid received, that of R. Mullen and Associates, Inc., of $8,900.00.

4. Report of Messrs. Faucher, Misslin, Brooks and Balicki, June 5, recommending approval of the request of the Contractor, P. J. Kennedy and Sons, Inc., for an extension of time from June 10, 2001 to June 25, 2001, on Contract No. P99-2008-C2A, for Replacement of and New DHW Heating System, MDC Headquarters Building and further, the Division requests that this contract be extended to July 2, 2001 for administrative purposes in order in insure continuation of this contract to next fiscal year if necessary.
The Commission V O T E D: to approve the request of the Contractor, P. J. Kennedy and Sons, Inc., for an extension of time from June 10, 2001 to June 25, 2001, on Contract No. P99-2008-C2A, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

The Commission further V O T E D: to approve the request of the Division to extend the contract to July 2, 2001 for administrative purposes in order in insure continuation of this contract to next fiscal year if necessary.

Action was taken upon the following matters relating to the Division of Watershed Management:

1. Report of Messrs. McGinn and Clifford, May 30, requesting approval to award and execute a master service agreement contract for electrical system repairs to Lipinski & Sons Electrical Contractors in the sum of $9,300.00 and approval to award and execute a master service agreement contract for heating system improvements to B & B Plumbing, in the sum of $8,650.00, for Stillwater Farm Interpretive Site, Sterling.
Account No. 2420-8960.
The Commission V O T E D: approval to award and execute a master service agreement contract for electrical system repairs to Lipinski & Sons Electrical Contractors, in the sum of $9,300.00, for Stillwater Farm Interpretive Site, Sterling.
The Commission further V O T E D: approval to award and execute a master service agreement contract for heating system improvements to B & B Plumbing, in the sum of $8,650.00, for Stillwater Farm Interpretive Site, Sterling.

2. Report of Messrs. McGinn and Zimmerman, May 21, recommending approval and execution of an Amendment for an extension of time from June 30, 2001 to December 31, 2001, on Contract No. WM98-094-X2R, with the Town of Boylston, to allow the Town's consultant to complete the final task, for development of a Master Plan.
The Commission V O T E D: Approved.
As the Amendment did not arrive in time for Commission execution, the Commission V O T E D: to authorize Commissioner Balfour to execute the Contracts on behalf of the Commission

Action was taken upon the following Various Matters:

3. Report of Mrs. O'Brien and Ms. Garnett, June 1, requesting approval of Amendment No. 1 to Contract No. PL93-023-D2A, with Planners Collaborative, Inc., for Neponset River Trail Design Services, which increases the amount for Technical Services by $21,209.00 to $71,135.00.
($11,889.00 – to cover construction administration services and $9,320.00 – additional services for items not included in the original proposed level of effort).
Account No. 2440-9102.
The Commission V O T E D: Approved.

4. Report of the Concession Selection Committee, June 1, recommending approval of the award of the following concessions –

LOCATION	**VENDOR**	**COMPENSATION**
Georges Island Boston Harbor	Silver Platters 4 A Dudley Street Cambridge, MA	2001 - $2,250.00 – for each month of a four month season.
		2002 - $2,250.00 – for each month of a six month season.
		2003 - $2,750.00 – for each month of a six month season.
		2004 - $3,000.00 – for each month of a six month season.
		2005 - $3,250.00 – for each month of a six month season.
Constitution Beach East Boston	Food Depot, Inc. 1123 Revere Beach Pkwy. Apt.23 Revere, MA	2001 - $500.00 for for each month of a six month season.
		2002 - $500.00 – for each month of a six month season.

The Commission has the option to renew the Permit for the 2003 season at Constitution Beach. The Concession Selection Committee further requests authorization for Secretary Chisholm to execute the Permits on behalf of the Commission.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of General Counsel:

1. Report of Mr. Gray, June 4, recommending that the Commission adopt an Order of Taking for acquisition of approximately 54.429 acres of land owned by Rexford Van Norman Baker, Trustee, Rexford Van Norman Baker Nominee Trust, located in the Towns of Princeton and Sterling, Massachusetts, and to approve an award of damages in the amount of $ 325,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 54.429 acres of land owned by Rexford Van Norman Baker, Trustee, Rexford Van Norman Baker Nominee Trust, located in the Towns of Princeton and Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and behalf of the Commonwealth of Massachusetts, in the following described land situated in the Towns of Princeton and Sterling, in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of the "Old Leominster Road", now known as simply Leominster Road in the said Town of Princeton, and as Justice Hill Road Cutoff in the said Town of Sterling, more particularly bounded and described as follows:

Beginning at the northeasterly corner of the parcel herein being described, at the point of intersection of a stone wall and the southeasterly line of the 1935 Worcester County Record Layout of Justice Hill Road Cutoff (see the County Commissioners Decree and Taking recorded with Worcester District Registry of Deeds at Book 2647, Page 443, and the accompanying plan labeled Decree 1061/Plan H-2482 R, recorded as Plan 15 in Plan Book 87), and at the northwesterly corner of land, formerly of the Blanchard heirs, now or formerly of Michael L. and Judith E. Petit (see deed the deed recorded with said Deeds at Book 5247, Page 408), said point being located N. 68 ° 53' 55" E., 6.48 feet from a Worcester County Highway bound, found, in an exclusion survey referenced at the conclusion of this description;

Thence	S. 37° 30' E., 189.74 feet, more or less, by the stone wall, to a point therein;
Thence	S. 33° 00' E., 1176.0 feet, more or less, by the wall to a point at an angle in the wall, at other land formerly of the Blanchard Heirs, late of Bruce S. and Janet R. Baker, and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 5/1/97 recorded with said Deeds at Book 18860, page123, and the accompanying taking plan recorded as Plan 122 in Plan

Book 712), the last two courses being by land now or formerly of the aforesaid Michael L. and Judith E. Petit ;

Thence S. 09° 00’ W., 264.0 feet, more or less, continuing by the stone wall, to a point at an angle therein;

Thence S. 18° 00’ W., 1156.0 feet, more or less, by the stone wall and land of the Commonwealth of Massachusetts, MDC, to the Town Bound marked “1828” at or near the northerly bank of Justice Brook;

Thence S. 10° 00’ W., 198.0 feet, more or less, through the waters of Justice Brook, by the Sterling-Princeton Town Line, and by land late of Davis Farm Trust and now of the Commonwealth of Massachusetts, Metropolitan District Commission (see order of taking dated 6/5/96 recorded with said Deeds at Book 18052, Page 284), to a point at the southwesterly corner of the parcel being described herein, and at land formerly of the Heirs of Atwood Keyes, now or formerly of David Grondaleski, John Kowaleski and Paul D. Romagna (see the deed recorded with said Deeds at Book 9074, Page 385);

Thence N. 35° 00’ W., 1984.36 feet, more or less, by land now or formerly of the last named abutters, entering and running by a stone wall, to a drill hole set at a point therein, at the southwesterly corner of Lot 3, land of the Rexford Van Norman Baker Nominee Trust, originally intended to be excluded from the provisions of this instrument of taking but now included in the lands taken herein and hereby;

Thence N. 11° 24’ 56” W., 142.64 feet, by land, now or formerly, of said Grondaleski, Kowaleski and Romagna, and the stone wall, to a point at an intersection of stone walls, said point being at the southeasterly corner of land now or formerly of Kenneth W. and Katherine B. Chapman (see the deed recorded with said Deeds at Book 4585, Page 557);

Thence N. 06 ° 00’ 42” W., 171.13 feet, by the stone wall and land now or formerly of said Chapman, to a point in the wall;

Thence N. 04° 24’ 37” E., 139.55 feet, by the wall and land now or formerly of said Chapman, to a point at the southerly line of the 1936 Worcester County Record Layout of Leominster Road, said point being at the northwesterly corner of the land described herein, and at the northwesterly corner of Lot 3, and the northeasterly corner of the last-named abutter’s land;

Thence Northeasterly, by the southerly line of the highway, along the arc of a curve to the right, having a radius of 975.00 feet, an arc distance of 83.44 feet, said arc being subtended by a central angle of 04° 54’ 11” to a point of tangency, said point being at a Worcester County Highway bound, found;

Thence N. 77° 59' 30" E., by the southerly line of the highway, 141.56 feet, to a point at the northwesterly corner of Lot 2, other land of the Rexford Van Norman Baker Nominee Trust, originally intended to be excluded from the provisions of this order of taking, but now included within the lands taken herein and hereby, this point being also the northeasterly corner of Lot 3;

Thence N. 77° 59' 30" E., by the southerly line of the highway, 19.32 feet, to another Worcester County Highway bound, found;

Thence Northeasterly, by the southerly line of the highway, along the arc of a curve to the right, having a radius of 1375.00 feet, an arc distance of 141.66 feet, said arc being subtended by a central angle of 05° 54' 10", to a point of tangency, said point being at another W.C.H. bound, found;

Thence N. 83° 53' 40" E., 64.02 feet, by the southerly line of the highway, to an MDC concrete bound set at the northeasterly corner of Lot 2;

Thence N. 83° 53' 40" E., 208.25 feet, by the southerly line of the highway, to another W.C.H. bound, found at a point therein;

Thence Northeasterly, by the highway, along the arc of a curve to the left, having a radius of 2425.00 feet, an arc distance of 52.02 feet, said arc being subtended by a central angle of 1° 13' 44", to a point of tangency, said point being at another MDC concrete bound set to mark the northwesterly corner of the excluded Lot 1, other land now or formerly of the Rexford Van Norman Baker Nominee Trust, which Lot 1 is specifically excluded from the provisions of this instrument and reserved to said owner;

Thence S. 56° 53' 48" E., 168.46 feet, by the excluded Lot 1, to another MDC concrete bound set at an angle in the line thereof;

Thence S. 19° 31' 26" W., 291.83 feet, by the excluded Lot 1, to a point in a 10 inch maple tree standing at the southwesterly corner of said Lot 1;

Thence S. 50° 14' 38" E., 212.15 feet, by the southerly line of the excluded Lot 1, leaving the Town of Princeton and entering the Town of Sterling, and running to a point in a 2 inch maple tree standing at the southeasterly corner of this excluded lot;

Thence N. 25° 39' 05" E., 420.31 feet, by the easterly line of the excluded Lot 1, to a drill hole set in a stone wall segment running generally east-west;

Thence N. 28° 55' 57" W., 104.55 feet, by the easterly line of the excluded Lot 1, to a drill hole set at an angle in the line;

Thence N. 59° 19’ 16” E., 134.94 feet, leaving the Town of Sterling and re-entering the Town of Princeton, and running to another MDC concrete bound set at a point in the southerly line of Leominster Road, said bound marking the northeasterly corner of the excluded Lot 1;

Thence Northeasterly, partially by the southerly line of the 1936 Worcester County Record Layout of Leominster Road in Princeton and partially by the 1935 Worcester County Record Layout of Justice Hill Road Cutoff in Sterling, along the arc of a curve to the left, having a radius of 1225.00 feet, an arc distance of 238.85 feet, said arc being subtended by a central angle of 11° 10’ 17”, to a point of tangency, said point being at the Worcester County Bound first mentioned, above;

Thence N. 68° 53’ 55” E., 6.48 feet, by the southerly line of the highway, to the first mentioned point in the stone wall, at land, now or formerly, of Michael L. & Judith E. Petit, said point being the point and place of beginning.

Containing 29,129 acres, more or less, within the Town of Princeton, and 25.3 acres, more or less, Within the Town of Sterling, or 54.429 acres, more or less, in total, as calculated from information in prior deed descriptions and highway takings, and on the information shown upon the following two survey plans:

1) A plan showing the included Lots 3 & 2, and the excluded Lot 1, and portions of the record layouts of Leominster Road and Justice Hill Road Cutoff, entitled “Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Princeton & Sterling, Massachusetts, Land Taking Plan For Watershed Protection”, dated 19 June 1998, prepar ed by Berry Engineering, Inc., William L. Berry, Jr., P.L.S., which plan shall may be revised and recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

2) A perimeter plan of the locus entitled “Plan of Estate owned by Henry F. Keyes in East Princeton – Princeton, Mass. Sterling, Mass.”, dated 1924 and prepared by Herbert A. Pratt, C.E., Worcester, Mass., which plan is recorded with Worcester District Registry of Deeds as Plan 40 in Plan Book 42.

The 1st and 7th through 24th courses recited above are taken from the first plan cited above, and the 2nd through 6th courses are taken from the second plan cited above.

A reduced and highlighted copy of the above-cited Berry Engineering plan, dated 19 June 1998, showing the excluded Lot 1 thereon, is appended to this instrument as EXHIBIT A, to be recorded herewith and made a part hereof.

The aforementioned parcel is supposed to be owned by the following owner(s):

OWNER(S)	RESTRICTION AREA TAKEN
Rexford Van Norman Baker, Trustee, Rexford Van Norman Baker Nominee Trust	54.429 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement on and over the above premises, howsoever the same may be bounded and described, which may be held by the supposed owner as a result of his ownership of the above described premises, and being most of the same premises described in a deed from Rexford Van Norman Baker to Rexford Van Norman Baker, as Trustee of the Rexford Van Norman Baker Nominee Trust, dated May 5, 1997 and recorded with Worcester District Registry of Deeds at Book 18803, Page 124.

That portion of the above described property within the Town of Princeton is represented upon Princeton Assessors Tax Map 9B as Parcel 2.

That portion of the above described property within the Town of Sterling is represented upon Sterling Assessors Tax Map 30 as most of Parcel 9.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel(s) of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, shall be permitted on said premises. No placement of roads, ways, paths or portions thereof, shall be permitted, except as needed for access and maintenance purposes for the excluded Lot 1, as above referenced.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, except as needed for the excluded Lot 1, as above referenced.

3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for the development of any adjoining unrestricted land.

4. No septic systems or leach fields shall be permitted.

5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

7. No tillage shall be permitted.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner(s), including the right to privacy.

The Commission awards damages sustained by the owner(s) of the land hereinabove mentioned by reason of said taking, in the following sum(s):

OWNER(S)	AWARD
Rexford Van Norman Baker, Trustee, Rexford Van Norman Baker Nominee Trust	$ 325,000

The Commission further VOTED: to approve an award of damages in the amount of $ 325,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 4, recommending that the Commission adopt an Order of Taking for acquisition of approximately 16.7862 acres of land owned by William Tuttle and Rita Tuttle, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $ 125,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

The Commission V O T E D: adopt an Order of Taking for acquisition of approximately 16.7862 acres of land owned by William Tuttle and Rita Tuttle, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 7, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the town road running from Sterling to East Princeton, sometimes known as Meeting House Hill Road, but most often recently called Rowley Hill Road, more particularly bounded and described as follows:

Beginning at an iron pin found in the northerly corner of the parcel herein being described, said pin being in the westerly line of the 1937 Worcester County Highway Record Layout of Rowley Hill Road, being located S. 01° 21' 35" W., 265.29 feet from a Worcester County Highway bound found in the easterly line of land, formerly of Joseph Kilburn, now or formerly of Jeanne B. Murray Doyle (see the deed dated 8/23/46 recorded with Worcester District Registry of Deeds at Book 3018, Page 285, and an unrecorded plan of this abutting lot prepared by Clyde A. Wheeler, Inc., dated September 26, 1989);

Thence N. 43° 12' 57" W., 179.98 feet, by land formerly of J. Kilburn, now or formerly of J.B. Murray Doyle, to a drill hole set in a large boulder;

Thence N. 48° 36' 25" W., 60.93 feet, by land now or formerly of J.B. Murray Doyle, to an iron pin set;

Thence N. 43° 18' 12" W., 243.46 feet, by land now or formerly of J.B. Murray Doyle, to a drill hole found at or near the southeasterly end of a stone wall segment marking the property line;

Thence N. 43° 07' 19" W., 226.89 feet, by the stone wall and land now or formerly of J.B. Murray Doyle, to an iron pin set at an angle point in the wall;

Thence N. 65° 01’ 51” W., 207.10 feet, by the wall and land now or formerly of J.B. Murray Doyle, to a drill hole found at another angle point in the wall;

Thence N. 19° 03’ 52” W., 219.61 feet, by the wall and land now or formerly of J.B. Murray Doyle, to a point in the stone wall;

Thence N. 19° 43’ 44” W., 14.56 feet, by the wall and land now or formerly of J.B. Murray Doyle, to a point at a junction of stone walls, at land formerly of M.S. Taft, now or formerly of Joseph W. Listowich, Jr. and Judith L. Peasha, (successor)Trustees of the Listowich Family Realty Trust (see instruments dated 11/11/77 and 6/10/92 recorded with said Deeds at Book 6368, Page 53 and Book 14764, page 323);

Thence S. 54° 01’ 37” W., 365.17 feet, by and through the stone wall and by land now or formerly of J.W. Listowich, Jr. and J.L. Peasha, Trustees, to an iron pin set at a corner;

Thence S. 33° 22’ 15” E., 310.14 feet, entering and running by another stone wall, by land now or formerly of the above named trustees, to a drill hole set at an angle in the wall;

Thence S. 17° 36’ 10” E., 211.13 feet, by the wall and land now or formerly of the above named trustees, to an iron pin set at a point in the wall;

Thence S. 11° 00’ 36” E., 176.64 feet, still by land now or formerly of the above named trustees, and by the stone wall, to a point therein;

Thence S. 04° 41’ 50” E., 79.11 feet, still by land now or formerly of the Listowich Family Realty Trust, Trustees, and by the wall, to a point therein;

Thence S. 05° 41’ 20” E., 177.97 feet, still by land now or formerly of the above named trustees, and by the stone wall, to a point in a wall junction, at land formerly of Joseph Lewis, now or formerly, of Ronald and Amy C. Day (see the deed dated 4/4/84 recorded with said Deeds at Book 8137, Page 346, and the survey plan recorded with said Deeds as Plan 85 in Plan Book 509);

Thence S. 66° 23’ 33” E., 180.99 feet, by the stone wall and land now or formerly of R. and A.C. Day, to a point in the wall;

Thence S. 66° 04’ 10” E., 134.97 feet, by the stone wall and land now or formerly, of R. and A.C. Day, to a point in the wall;

Thence S. 66° 32’ 56” E., 171.69 feet, by the stone wall and land now or formerly, of R. and A.C. Day, to a point in the wall;

Thence S. 66° 04’ 41” E., 134.97 feet, by the stone wall and land now or formerly, of R. and A.C. Day, to a drill hole found at or near the southeasterly terminus of the wall;

Thence N. 25° 00’ 07” E., 132.95 feet, by land now or formerly of R. and A.C. Day, to an iron pin set at a point in the arc of a curve to the right forming the westerly layout line of Rowley Hill Road;

Thence Northeasterly, by the W.C.H. Record Layout of Rowley Hill Road, along the arc of a curve to the right, having a radius of 2030.00 feet, an arc distance of 62.52 feet, to a point of tangency, said point being at the northerly terminus of the arc;

Thence N. 01° 21’ 35” E., 268.40 feet, by the westerly layout line of Rowley Hill Road, to the first mentioned point in the northerly corner of the parcel described herein, being the point and place of beginning.

Containing 16.7862 acres, more or less, as shown upon an unrecorded survey plan entitled “Plan of Property Surveyed For William & Rita Tuttle, Rowley Hill Road, Sterling, Massachusetts”, dated January 24, 1990, prepared by Central Mass. Land Survey, Inc. Sterling MA, and signed and stamped by R.F. Dombrowski, P.L.S. No. 28084, a copy of which plan is on file in the Office of the General Counsel of the Metropolitan District Commission, at Commission Headquarters, located at 20 Somerset Street Boston, MA.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in the town road from Sterling to East Princeton, known as Meeting House Hill Road and as Rowley Hill Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the same premises described in a deed from Dennis E. Ortelli & Donna E. Ortelli to William Tuttle and Rita Tuttle, dated 31st May 1986 and recorded with Worcester District Registry of Deeds at Book 9497, Page 225.

The above described property is represented upon Sterling Assessors Tax Map 47 as Parcel 13.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
William Tuttle and Rita Tuttle	$ 125,000

The Commission further V O T E D: to approve an award of damages in the amount of $125,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

Adjourned at 9:30 a.m., to meet on Thursday, June 14, 2001, at 9:00 a.m.

William J. [illegible]
Secretary

Record of the Three Thousand Nine Hundred and Eighty Seventh (3987th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 14, 2001.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Carr, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Carr and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 31, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin, Brooks and Haider, June 7, recommending rejection of the only bid received, that of J. F. White Construction Co., in the sum of $256,410.00, on Contract No. P01-2127-M1A, for Service to Underwater Structures at Various Flood Control/Navigation Sites, as it was 34.96% over the engineer's estimate of $190,000.00.
(Messrs. Faucher, Misslin, Brooks and Haider further request authorization to readvertise the project as Contract No. P01-2127-M2A).
Account No. 2440-0010.
The Commission V O T E D: to reject the only bid received, that of J. F. White Construction Co., in the sum of $256,410.00, on Contract No. P01-2127-M1A, for Service to Underwater Structures at Various Flood Control/Navigation Sites, as it was 34.96% over the engineer's estimate.
The Commission further V O T E D: authorization to readvertise the project as Contract No. P01-2127-M2A.

2. Report of Messrs. Faucher, Misslin, Brooks and Abounaja, June 7, recommending approval of the request of the Consultant, Yee Consulting Group, Inc., for an extension of time from August 14, 2001 to August 14, 2002, on Contract No. P00-2063-D1A, for Industrial Hygiene Services for Various MDC Facilities.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of the Concession Selection Committee, June 1, recommending approval of the award of the following concessions –

LOCATION	VENDOR	COMPENSATION
Georges Island Boston Harbor	Silver Platters 4 A Dudley Street Cambridge, MA	2001 - $2,250.00 – for each month of a four month season.
		2002 - $2,250.00 – for each month of a six month season.
		2003 - $2,750.00 – for each month of a six month season.
		2004 - $3,000.00 – for each month of a six month season.
		2005 - $3,250.00 – for each month of a six month season.
Constitution Beach East Boston	Food Depot, Inc. 1123 Revere Beach Pkwy. Apt.23 Revere, MA	2001 - $500.00 for for each month of a six month season.
		2002 - $500.00 – for each month of a six month season.

The Commission has the option to renew the Permit for the 2003 season at Constitution Beach. The Concession Selection Committee further requests authorization for Secretary Chisholm to execute the Permits on behalf of the Commission.

At this point, Secretary Chisholm stated that Commissioner Balfour has recommended that the Permit to Silver Platters be approved for one year, with a Commission option to renew for one year, rather than a five year Permit as recommended by the Concession Selection Committee. Acting Commissioner Carr noted that if the Concessionaire knew when he submitted his proposal that the Permit was for one year he might have offered a different proposal. He then suggested that the concessionaire be contacted by the Concession Selection Committee to insure that he will agree to a one year Permit, with an MDC option to renew for one year.

At this point, Mr. Jewett explained that Food Depot, Inc., the food service firm recommended to the Commission by the Concession Selection Committee for the Constitution Beach Mobile location, has asked to be permitted to withdraw its bid, citing the high cost of a performance bond.

Mr. Jewett stated that the Concession Selection Committee is now recommending that Food Depot be allowed to withdraw its proposal and that the Permit be awarded to Northeast Ice Cream, Inc. He explained that Northeast Ice Cream, Inc. had tied with Food Depot, Inc. on total points for the award, but did not carry a varied line of food. However, he noted, Northeast Ice Cream, Inc. has agreed to supplement its ice cream line with a varied and expanded menu. At this point, Acting Commissioner Carr moved that Silver Platters be awarded the Concession at Georges Island, Boston Harbor, for the 2001 season, with a fee of $2,250.00 for each month of a four month season with a Commission option to renew the Permit for one year. The award, he noted, is contingent upon Silver Platters acceptance of the one year rather than the five year Permit, with a Commission option to renew for one year. The motion was seconded and the Commission V O T E D: Approved.
The Commission further V O T E D: to award the Concession at Constitution Beach, East Boston to North East Ice Cream, Inc., with a bid in the amount of $4,250.01 per season for the next two years, covering the 2001 and 2002 seasons, for a total bid of $8,500.02, with a Commission option to renew for one year.
The Commission further V O T E D: authorization for Secretary Chisholm to execute the Permits on behalf of the Commission.

1. Report of Mr. Jewett, June 13, requesting approval of a contract with the Friends of the Paragon Carousel, Inc., (Friends), to provide repairs and maintenance to the Hull Clock Tower, located in the Town of Hull, as directed by Chapter 159 of the Acts of 2000 and Chapter 7, Section 9 of the Acts of 2001, at a cost of not less than $50,000.00.
Funding from Account No. 2440-0010.
The Commission V O T E D: Approved.

2. Report of Mr. Griffin, June 11, requesting approval of a $15,000.00 increase in Fiscal Year 2001 funding for a contract, (executed by the Commission on May 28, 1987), with Harvard University for the Maintenance of John F. Kennedy Park in Cambridge, which brings the MDC's one half of the maintenance costs for Fiscal Year 2001 to a total of $35,000.00.
The Commission V O T E D: Approved as recommended by Mr. Griffin in his report of June 11, 2001.

Action was taken upon the following matters relating to the Office of General Counsel:

3. Report of Mr. Gray and Ms. McLaughlin, June 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 11.2 acres of land owned by Ruth Scully, located in the Town of Canton, Massachusetts, and to approve an award of damages in the amount of $ 22,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission V O T E D: to Report of Mr. Gray and Ms. McLaughlin, June 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 11.2 acres of land owned by Ruth Scully, located in the Town of Canton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 14, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Canton in the County of Norfolk and Commonwealth of Massachusetts, namely:

A certain tract of meadow land called the "Bemis Meadow" lying on the easterly side of the Neponset River and off of the southwesterly side of the relocated Green Lodge Street, more particularly bounded and described as follows:

SOUTHWESTERLY on land, formerly of Gideon McIntosh, later of the Heirs of Helen N. Cabot, and, now or formerly, of Daniel Striar, Trustee of Wishing Well Realty Trust (see the deed recorded with Norfolk District Registry of Deeds at Book 6807, Page 39 and the confirmatory instrument at book 6987, Page 83);

SOUTHEASTERLY in part, on land, formerly of Gideon McIntosh, later of the Heirs of Helen N. Cabot, and now or formerly of Daniel Strair, Trustee of Wishing Well Realty Trust (see deeds referenced above), partly by land, formerly of Nathaniel Wentworth, later of the heirs of Charles P. Wentworth, and now or formerly, of Marion Wentworth (see the deed recorded with said Deeds at Book 5659, Page 3), and partially by land formerly of Nathaniel French, later of Henry P. Binney, and now or formerly, of Canton Realty Trust (see deed recorded with said Deeds at Book 10283, Page 569);

NORTHEASTERLY in part, on land formerly of Robert P. Tucker, and land formerly of the Heirs of Isaac Horton, both later lands of William M.and Robert S. Draper, still later lands of Roseland Properties Trust et als, and now or formerly, of the Town of Canton (see deed recorded with said Deeds at Book 7093, Page 166);and

NORTHWESTERLY by the Neponset River.

Containing 11.2 acres, more or less, per Canton Assessors Tax Map calculations.

The above described premises are represented upon Canton Assessors Tax Map 35 as Lot 3.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Kathryn A. Welch to Ruth Scully, dated 27th May 1988 and recorded with Norfolk District Registry of Deeds at Book 7987, Page 664.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Canton, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNER	AWARD
Ruth Scully	$ 22,000.00

The Commission further VOTED: to approve an award of damages in the amount of $ 22,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further VOTED: to authorize Acting Commissioner Robert H. Carr, Jr., to sign the EOEA Agency Article 97 Land Acquisition Transmittal Form for this acquisition.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

1. Report of Mr. Gray and Ms. McLaughlin, June 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.333 acres of land owned by Francis J. Esmond, Jr., Jane M. Boston, Paul D. Esmond, and Caroline A. Fitzpatrick, located in the Hyde Park district of the City of Boston, Massachusetts, and to approve an award of damages in the amount of $ 44,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 0.333 acres of land owned by Francis J. Esmond, Jr., Jane M. Boston, Paul D. Esmond, and Caroline A. Fitzpatrick, located in the Hyde Park district of the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 14, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Hyde Park District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of Horton Street, at the southwesterly terminus of said street, adjoining lands of the Commonwealth of Massachusetts, Metropolitan District Commission, known as Stony Brook Reservation, shown as Parcel No.3 upon a recorded plan referenced below, more particularly bounded and described as follows:

Beginning at a point in the northwesterly side of Horton Street, at its southwesterly terminus, being the southernmost point of the parcel herein being described, at land, formerly of Frank B. Homans, now of the Commonwealth of Massachusetts, Metropolitan District Commission, and known as Stony Brook Reservation;

Thence Northwesterly, along the arc of a curve to the right, having a radius of 620.33 feet, an arc distance of 6.50 feet, by Stony Brook Reservation, to a stone bound at an angle in the line (see Order of Taking No.73 of the Metropolitan Parks Commission, dated August 19, 1896 and recorded with Suffolk County Registry of Deeds at Book 786, Page 583, see also MPC Taking No.14, dated September 6, 1894 and recorded with Norfolk County Registry of Deeds at Book 723, Page 41);

Thence N. 17° 40' 10" W., 109.40 feet, by Stony Brook Reservation, to a stone bound at the northernmost corner of the parcel herein being described, and at land, shown as Parcel No.1 upon the recorded plan referenced below, land, now or formerly, of Edward A. and Rita C. Lodge (see deed dated 21st November 1980 recorded with said Deeds at Book 7976, Page 389);

Thence Northeasterly, 169.25 feet, by Parcel No.1, to a point at another corner, being a corner in common with Parcel No.2, which, according to records of the Boston City Assessors Office, is supposed to be land, now or formerly, of William M. & Anne T. Blundell;

Thence Southeasterly, 45.0 feet, by Parcel No.2, to a point in the northwesterly line of Horton Street, at another corner;

Thence Southwesterly, 215 feet, more or less, by the northwesterly line of Horton Street, to the point and place of beginning.

Containing 14,500 square feet, more or less, or 0.333 acres, and shown as Parcel No.3 upon a plan entitled "Compiled Plan Hyde Park, Mass.", prepared by C.H.W. Wood Co. Civil Engineers and Surveyors, Boston Mass. at a scale of 50 feet to an inch, dated September 1926, which plan is recorded with Suffolk County Registry of Deeds as Book 4855, Page 95.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Horton Street which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from Barbara C. Esmond to Francis J. Esmond, Jr., Jane M. Boston, Paul D. Esmond and Caroline A. Fitzpatrick, dated December 31, 1996 and recorded with Suffolk County Registry of Deeds in Book 21111, Page 161.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The above described premises is listed upon the City of Boston Tax Rolls as Ward 18 Parcel 11442, and represented as such upon Assessors Plan Ward~18271 Block~460.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Francis J. Esmond, Jr. Jane M. Boston Paul D. Esmond Caroline A. Fitzpatrick	$44,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 44,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: to authorize Acting Commissioner Robert H. Carr, Jr., to sign the EOEA Agency Article 97 Land Acquisition Transmittal Form for this acquisition.

1. Report of Mr. Gray and Mr. Collette, June 11, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.868 acres of land owned by Giuseppe Trichilo, et als, Trustees of Fazerilo Realty Trust, located in the City of Revere, Massachusetts, and to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.868 acres of land owned by Giuseppe Trichilo, et als, Trustees of Fazerilo Realty Trust, located in the City of Revere, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 14, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Revere in the County of Suffolk and Commonwealth of Massachusetts, namely:

Four certain parcels of land lying on Glendale, Intervale and Argyle Streets in the Oak Island Grove Section of the said City of Revere, more particularly bounded and described as follows:

Parcel 1

A parcel of land consisting of fourteen subdivided contiguous lots, each measuring 20'by 80' bounded and described as follows:

SOUTHEASTERLY by Intervale Street, 140 feet;
SOUTHWESTERLY by Argyle Street, 160 feet;
NORTHWESTERLY by Glendale Street, 140 feet;
NORTHEASTERLY by Lots 563 and 548, 160 feet.

Containing 22,400 square feet, more or less, as shown as Lots 549 through 562, inclusive, upon a survey plan entitled "Plan of Land At Oak Island, Revere, Mass., Walter H. Gleason, Trustee", which plan, dated May 1922, and prepared by J.S. Crossman, C.E., is recorded with Suffolk Registry of Deeds at Deed Book 4673, Page 15.

Parcel 2

A parcel of land consisting of nine contiguous subdivided lots, each measuring 20'by 80', adjoining the northwesterly line of Parcel 1, as described above, bounded and described as follows:

Lot 93 on the Northwesterly side of Intervale Street, and Lots 97 through 101 inclusive, lying on the Southeasterly side of Glendale Street, comprising, in total, 9000 square feet, more or less, as shown upon a survey plan entitled "Plan of Oak Island Grove, Revere, Mass., Owned by John E.V. Hayden and John H. Kelley, Trustees", which plan, dated September 1906, and prepared by E.G. Mann, Civil Engineer and Surveyor, 12 Pearl St. Boston, is recorded with said Deeds at Deed Book 3230, Page 620;

AND

Lots 545, 546 and 547 on the Southeasterly side of Glendale Street, comprising, in total 5400 square feet, more or less, as shown upon a survey plan entitled "Plan of House Lots at Oak Island Revere", which plan, dated May 1913, and prepared by F.P. Hall, Surveyor, Boston, is recorded with said Deeds at Deed Book 3743, at the End.

Parcel 2 contains, in total, 14,400 square feet, more or less.

Parcel 3

A parcel of land consisting of 26 contiguous subdivided lots, each 20' in width, and varying in depth, lying between the northwesterly line of Glendale Street and the southeasterly line of the Boston & Maine Railroad, Eastern Division Rail-bed, more particularly bounded and described as follows:

Lot 184, containing 1890 square feet, more or less, and
Lot 185, containing 1896 square feet, more or less, as shown upon a survey plan entitled Plan of Land at Oak Island, Revere Mass.", which plan, dated July 1909, and prepared by F.P. Hall, C.E., 112 Water St. Boston, is recorded with said Deeds at Deed Book 3414, Page 77;

AND

Lot 113, containing 1902 square feet, more or less;
Lot 114, containing 1907 square feet, more or less;
Lot 132, the northeasterly half, containing 1003 square feet, more or less;
Lot 133, containing 2011 square feet, more or less;

Lot 134 containing 2016 square feet, more or less;
Lot 135, containing 2022 square feet, more or less; and
Lot 136, containing 2028 square feet, more or less,

All of the above Lots are as shown upon a survey plan entitled "Plan of Land at Oak Island Grove, Revere Mass., belonging to John E.V. Hayden", which plan, dated October 1910, prepared by Frederick P. Hall, Surveyor, 112 Water St. Boston is recorded with said Deeds at Deed Book 3638, Page 84;

AND

Lot 115, containing 1912 square feet, more or less;
Lot 116, containing 1913 square feet, more or less;
Lot 117, containing 1923 square feet, more or less;
Lot 118, containing 1929 square feet, more or less;
Lot 119, containing 1934 square feet, more or less;
Lot 120, containing 1939 square feet, more or less;
Lot 121, containing 1944 square feet, more or less;
Lot 122, containing 1951 square feet, more or less;
Lot 123, containing 1956 square feet, more or less;
Lot 124, containing 1962 square feet, more or less;
Lot 125, containing 1967 square feet, more or less;
Lot 126, containing 1973 square feet, more or less;
Lot 127, containing 1978 square feet, more or less;
Lot 128, containing 1984 square feet, more or less;
Lot 129, containing 1990 square feet, more or less;
Lot 130, containing 1995 square feet, more or less;
Lot 131 and the southwesterly half of Lot 132, containing 3003 square feet, more or less, all as shown upon the survey plan dated September 1906, prepared by E.G. Mann, which plan is the second plan referenced above in the description of Parcel 2.

The total area of the 26 contiguous Lots comprising Parcel 3 is 50,928 square feet more or less.

Parcel 4

A parcel of land consisting of 24 subdivided lots, all but two of which are 20' by 80' in size, being Lots 166 through 174, 174A through 174C, 175D through 175F, 175 through 182, and 183A, all as shown upon the survey plan dated May 1922, prepared by J.S. Crossman, C.E., being the first plan referenced above, in the description of Parcel 1, more particularly bounded and described as follows:

Beginning at the point at the southerly corner of the intersection of Glendale and Argyle Streets, and running thence;

SOUTHEASTERLY 160 feet, along Argyle Street, to the corner of Intervale Street;
SOUTHWESTERLY 254 feet, along Intervale Street, to a point at its terminus, at a ditch;
NORTHWESTERLY 161 feet, by the ditch, by owners unknown, to a point at Glendale Street;
NORTHEASTERLY 234 feet, along Glendale Street, to the point of beginning.

The total area of the 24 contiguous lots comprising Parcel 4 is 37,207 square feet, more or less.

The total area of all four of the parcels described above and taken herein and hereby is calculated to be 124,935 square feet, more or less, or 2.868 acres, more or less.

Parcel 1, as described above, is represented upon Revere Assessors Tax Maps as Plate 11/ Block 188D/ Lot7; Parcel 2 is represented as Plate11/ Block188D/ Lots 6, & 8-15 inclusive; Parcel 3 is represented as Plate10/ Block 188A/ Lots 33-23 inclusive and Plate 11/ Block 188A/ Lots 8-22 inclusive; and Parcel 4 is represented as Plate 10 / Block188A2 /Lot 1. (Note that Lot 183, as shown upon the recorded survey plans cited herein, is incorrectly shown as Lot 184 upon Revere Assessors Tax Maps, thus skewing the correct lots references for Parcel 3 as described above.)

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Glendale Street, and/or Intervale Street, and /or Argyle Street, which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from Giuseppe Trichilo, Joseph J. Machera and Salvatore Fazio to Giuseppe Trichilo, Joseph J. Machera and Salvatore Fazio, as Trustees of the Fazerilo Realty Trust, dated December 15, 1985 (see Suffolk Registry of Deeds Book 12256, Page 114) dated 3rd march 1988 and recorded with Suffolk County Registry of Deeds in Book 14544, Page 310.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Revere, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Giuseppe Trichilo, Joseph J. Machera, and Salvatore Fazio, Trustees of the Fazerilo Realty Trust	$75,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: to authorize Acting Commissioner Robert H. Carr, Jr., to sign the EOEA Agency Article 97 Land Acquisition Transmittal Form for this acquisition.

1. Report of Mr. Gray and Mr. Collette, June 11, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.52 acres of land owned by Rivers Construction, Inc., located in the Town of Saugus, Massachusetts, and to approve an award of damages in the amount of $ 200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.52 acres of land owned by Rivers Construction, Inc., located in the Town of Saugus, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 14, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Saugus in the County of Essex and Commonwealth of Massachusetts, namely:

Three certain parcels of registered land lying on the southwesterly side of Saugus Avenue, more particularly bounded and described as follows:

Parcel 1

NORTHERLY	by land, now or formerly, of Forrest L. Mitchell and by Saugus Avenue two hundred (200) feet;
EASTERLY	by a way forty (40) feet wide, as shown on the plan hereinafter cited, one hundred (100) feet;
SOUTHERLY	by Lot F, as shown on said plan, two hundred ten and 19/100 (210.19) feet; and
WESTERLY	by said land of Mitchell one hundred and 51/100 (100.52) feet.

All of said boundaries are determined by the Court to be located as shown upon the plan numbered 6570B, drawn by Ernest W. Branch, Civil Engineer, dated November 30, 1918, as modified and approved by the Court and filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title #3672 in said Registry, and the above described land is shown as Lot C, on said plan.

Parcel 2

NORTHERLY	by Saugus Avenue three hundred six and 06/100 (306.06) feet;
NORTHEASTERLY	by land, now or formerly, of Christopher C. Rich one hundred one and 63/100 (101.63) feet;
SOUTHERLY	by land, formerly of Godfrey L. Cabot, now or formerly, of Margaret B. Green, Lot F, as shown on L.C. Plan 6570B, cited above, three hundred six and 05/100 (306.05) feet; and
WESTERLY	by Lot D, as shown on said plan, one hundred (100.00) feet.

All of said boundaries are determined by the Court to be located as shown upon the plan numbered 6570E, drawn by Otte & Dwyer, Inc. Surveyors, dated July 20, 1995, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title #66412 in said Registry, and the above described land is shown as Lot 3, on said plan.

Parcel 3

NORTHERLY	by Saugus Avenue one hundred fifty (150.00) feet;
EASTERLY	by Lot E, as shown on plan hereinafter mentioned, one hundred (100.00) feet;
SOUTHERLY	by Lot F, as shown on said plan, one hundred fifty (150.00) feet; and

WESTERLY by a Way forty (40) feet wide, as shown on said plan, one hundred (100.00) feet.

All of said boundaries are determined by the Court to be located as shown upon the plan numbered 6570B, drawn by Ernest W. Branch, Civil Engineer, dated November 30, 1918, as modified and approved by the Court and filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title #3672 in said Registry, and the above described land is shown as Lot D, on said plan.

Parcel 1, Lot C, is subject to the right of Godfrey I. Cabot and his heirs and assigns to pass and repass over said way forty (40) feet wide, from said Saugus Avenue to his remaining land, as shown on plan 6570B, as described in the deed from Godfrey I. Cabot to Forrest L. Mitchell, dated June 27, 1921, and filed as Document #7967 in said Registry.

Part of Parcel 2, Lot 3, is subject to a right of way in favor of Lot 1 shown on the plan numbered 6570D (Sheet 2) filed with Certificate of Title #39876 as described in the deed from Margaret B. Green to M. DeMatteo Construction Co., dated December 30, 1969, and filed as Document # 133147 in said Registry.

The above described land is subject to any rights of way lawfully existing in favor of marsh lots lying to the Southwest or Southeast thereof, including said Harriet A. Davis land.

Parcel 1, Lot C, is the Second Parcel described in Certificate of Title # 65225.

Parcel 2, Lot 3, is the remaining and larger portion of Lot E, the Third Parcel described in Certificate of Title # 65225. (See the deed from Rivers Construction, Inc. to Christopher C. Rich Document 315260, Certificate of Title # 66412 and the plan numbered 6570E for the description of that portion of Lot E [Lot 2] which was sold.)

Parcel 3, Lot D, is the First Parcel described in Certificate of Title # 65225.

The total area of the three Parcels or Lots described herein and taken hereby is estimated to be 66,363 square feet, more or less, or 1.52 acres, more or less.

The above described Parcels, or Lots, are represented upon Saugus Assessors Tax Map 3F as Lot 2 in Block 12, Lot 5 in Block 10, and most of the westerly portion of Lot 6 in Block 10.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Saugus Avenue and/or Banfield Avenue which may be held by the supposed owner, as a result of its ownership of the above described property, and being most of the same premises described in a deed from M. DeMatteo Construction Co. to Rivers Construction, Inc. filed with the Land Registration Office of the Essex South Registry of Deeds as Document 305073. See also Certificate No. 65225 issued to Rivers Construction, Inc. by the Court on 28 December 1994.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Saugus, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNER	AWARD
Rivers Construction, Inc.	$ 200,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: to authorize Acting Commissioner Robert H. Carr, Jr., to sign the EOEA Agency Article 97 Land Acquisition Transmittal Form for this acquisition.

1. Report of Mr. Gray and Mr. Collette, June 11, recommending that the Commission adopt an Order of Taking for acquisition of approximately 17.64 acres of land owned by the Dedham Historical Society, located in the Town of Dedham, Massachusetts, and to approve an award of damages in the amount of $ 75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A; and to further vote that, in keeping with the condition in the original deed donating said land to said Dedham Historical Society, that the property be called The Frederic Jesup Stimson Wild Life Sanctuary.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 17.64 acres of land owned by the Dedham Historical Society, located in the Town of Dedham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 14, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Dedham in the County of Norfolk and Commonwealth of Massachusetts, namely:

Two certain parcels of land lying on the northerly side of the Charles River, on the easterly side of Ames Street and the southerly side of Park Avenue, more particularly bounded and described as follows:

Parcel 1

Beginning at a point in the easterly line of Ames Street, at the northwesterly corner of the parcel being described herein, at a drill hole at the southwesterly corner of land, now or formerly, of Robert B. Carkin, said point being located S. 16° 06’ 29” E., 260.11 feet from a Massachusetts Highway bound in the easterly line of Ames Street; thence turning and running

Southeasterly	561 feet, more or less, by land, now or formerly, of the aforesaid Carkin, and land, now or formerly, of Frank N. Resnek and Gerald D. Rosen, Trustees of Clough Realty Trust (see Land Court Case No. 2858), to an iron pin; thence turning and running
Northerly	63.4 feet, more or less, to an iron pin; thence turning and running
Northeasterly	32.9 feet, more or less, by land of said Resnek and Rosen to an iron pin set for a corner; thence turning and running
Southeasterly	757.6 feet, more or less, by land of said Resnek and Rosen, to the Charles River; all preceding courses running along the centerline of an old ditch; thence turning and running
Southeasterly	68 feet, more or less, to the approximate thread, or centerline of the Charles River; thence
Southerly and Westerly	1550 feet, more or less, along the thread, or centerline of the Charles River, to a point in the easterly line of Ames Street; thence
Northwesterly	50 feet, more or less, by the easterly line of Ames Street, to the side line of the Charles River; thence

N. 14° 40’40” W.	175 feet, more or less, by the easterly line of Ames Street, to an iron pin at land, now or formerly, of Harold J. and Dorothy R. Kane; thence
N. 78° 03’ 22” E.	32 feet, more or less, by land, now or formerly, of said Kane, to a drill hole; thence turning and running
N. 75° 10’ 23” E.	34.58 feet, by land, now or formerly, of said Kane, to a drill hole; thence turning and running
N. 17° 47’ 24” E.	58.00 feet, by land, now or formerly, of said Kane, to an iron pin at land, now or formerly, of Annabell M. Dervan; thence turning and running
N. 07° 33’ 19” E.	90.03 feet, by land, now or formerly, of said Dervan, to an iron pin at land, now or formerly, of Frederick F. Keaney et ux; thence turning and running
N. 16° 55’ 49” W.	170.27 feet, by land, now or formerly, of said Keaney, to an iron pin; thence turning and running
S. 73° 53’ 31” W.	130.00 feet, by land, now or formerly, of said Keaney, to a drill hole in the easterly line of Ames Street; thence turning and running
N. 16° 06’ 29” W.	567.81 feet, by the easterly line of Ames Street, to the first mentioned drill hole, being the point and place of beginning.

Containing 19.6 acres, more or less, as shown as Tract 1404E upon a plan entitled “Plan of Land in Dedham, MA”, dated December 4, 1978, prepared by Allen & Demurjian, Inc. Boston, MA, and recorded with said Deeds as Plan 328 of 1991 in Plan Book 399.

It is noted that 2.1 acres of the above described tract are under the waters of the Charles River, and the other 17.5 acres are, more or less, “dry” land.

Parcel 2

A certain parcel of land, containing 6,200 square feet, more or less, of “dry” land, lying upon the southerly side of Park Avenue, between said Avenue and the thread, or centerline of the Charles River, more particularly bounded and described as follows:

Northerly	by Park Avenue;

Easterly by the easterly line of the parcel of land conveyed to the Dedham Boat Club by deed from Henry White, dated March 10, 1890 and recorded with Norfolk District Registry of Deeds at Book 634, Page 21 (see "Plan of Charles River Park, Dedham, belonging to Brown & White," dated April 25, 1872, prepared by S. Briggs & Co. Surveyors, and recorded with Norfolk District Registry of Deeds at Book 442, Page 265) ;

Southerly by the thread, or centerline of the Charles River; and

Westerly by land conveyed to Henry D. Crowley, by deed from the Dedham Boat Club, dated March 11, 1904 and recorded with said Deeds at Book 968, Page 563 (see "Plan showing easterly boundary of land sold by Dedham Boat Club to Henry D. Crowley, Dedham, Mass.", dated March 1st 1904, prepared by William F. Whitman, Engineer, which plan was recorded with said Deeds together with the above-cited deed), more particularly described as follows:

Beginning at a point marked by the center of a stone bound at the junction of Pleasant Street and Park Avenue, at or near the southerly end of Pleasant Street, said point being distant 439.18 feet, measured on the centerline of Pleasant Street and its prolongation, said centerline running S. 01° 47'E., from its intersection with a line, at right angles therewith, which is the prolongation, easterly, of the line of the fence, shown on the plan above cited, as the southerly line of land then of Lucinda E. Shaw, said fence line prolongation being distant 3.5 feet northerly from the center of a walnut tree in Pleasant Street, at its nearest point to the center of the said tree;

Thence S. 48° W., 32.37 feet, to the center of another stone bound;

Thence S. 54° 55' W., 40 feet, to the center of another stone bound

Thence S. 13° 45' W., to the Charles River.

Containing about 6,200 square feet, of "dry land", together with an estimated similar amount of land beneath the waters of the Charles River.
The total area of the two parcels described above and intended to be taken herein and hereby is 17.64 acres of "dry" land, and an estimated area of about 2.24 acres of land beneath the waters of the Charles River, or about 19.88 acres, more or less, in total.

The above described tracts are represented as an 18 acre tract upon the easterly side of Ames Street on Dedham Assessors Tax Map Sheet 75, and a 6,200 square foot parcel on the southerly side of Park Avenue on Dedham Assessors Tax Map Sheet 74.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Ames Street and/or Park

Avenue which may be held by the supposed owner, as a result of its ownership of the above described property, and, the first parcel above, being the same premises described in a deed from Mabel A. Stimson to the Dedham Historical Society, dated January 20, 1945 and recorded with Norfolk District Registry of Deeds at Book 2526, Page 45, and the second parcel above, being the same premises described in a deed from the Dedham Boat Club to the Dedham Historical Society, dated 30th April 1935 and recorded with Norfolk District Registry of Deeds at Book 2067, Page 250.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Dedham, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNER	AWARD
Dedham Historical Society	$ 75,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: that, in keeping with the condition in the original deed donating said land to said Dedham Historical Society, that the property be called The Frederic Jesup Stimson Wild Life Sanctuary.
The Commission further V O T E D: to authorize Acting Commissioner Robert H. Carr, Jr., to sign the EOEA Agency Article 97 Land Acquisition Transmittal Form for this acquisition.

1. Report of Mr. Gray, June 11, recommending that the Commission adopt an Order of Taking for acquisition of approximately 18.49 acres of land owned by the Sudbury Valley Trustees, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $ 140,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 18.49 acres of land owned by the Sudbury Valley Trustees, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 14, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying, off of the northerly side of Linden Street and off of the easterly side of Mile Hill Road, shown as Lot E upon a survey plan cited at the conclusion of this description, more particularly bounded and described as follows:

Beginning at a drill hole found in a stone wall corner, near an iron pin, at land, now or formerly, of Robert L. and Janice M. Chalifoux (see the deed recorded with Worcester District Registry of Deeds at Book 6961, Page 83), and at land, formerly of Clifford E. Spaulding, now of the Commonwealth of Massachusetts, Metropolitan District Commission, (see the Order of Taking dated 6/4/1992 recorded with said Deeds on 6/24/1992 at Book 14321, Page 369), said drill hole marking the southerly end of the westerly line of the parcel being described herein, and being located N. 79° 46’ 13” E., 349.10 feet from an MDC concrete bound with drill hole set, at a point in the northeasterly layout line of the 1941 Worcester County Highway Record Layout of Mile Hill Road (see Plan H-2739-R Decree 1311, as recorded with said Deeds) said concrete bound marking the northeasterly corner of the above cited lot, formerly of Clifford E. Spaulding (see the plan entitled “Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Boylston(Worcester County) MA, Land Taking Plan For Watershed Protection”, dated June 1992, prepared by C.T. Male Associates, P.C., signed & stamped by Richard L. Woods P.L.S. No. 26107, which plan is on file in the Office of the General Counsel of the MDC at its Headquarters located at 20 Somerset Street, Boston MA.);

Thence N. 00° 02’ 54” W., 229.02 feet, by land, now or formerly, of Chalifoux, and by the stone wall, to a drill hole at a point therein;

Thence N. 00° 05’ 00” W., 185.25 feet, by land, now or formerly, of Chalifoux, and by the stone wall, to a drill hole at a point therein;

Thence N. 00° 03’ 39” E., 166.65 feet, by land, now or formerly, of Chalifoux, and by the stone wall, to a drill hole found in a boulder;

Thence N. 00° 16’ 18” E., 33.86 feet, by land, now or formerly, of Chalifoux, and by the stone wall, to a drill hole found in a wall corner;

Thence N. 00° 12’ 00” E., 128.08 feet, by land, now or formerly, of Chalifoux, to a ¾ inch iron pin found;

Thence N. 06° 11’ 39” E., 380.17 feet, by land, now or formerly, of Chalifoux, to a point in another stone wall, near another iron pin found, said point, located S. 71° 19’ 19” E., 72.13 feet from MDC Stone Bound #283, being at the northwesterly corner of the parcel herein being described, and at the northeasterly corner of the land, now or formerly, of Chalifoux, and at a point in the southwesterly line of land formerly of Lorenzo F. Wood, now of the Commonwealth of Massachusetts, MDC (see Metropolitan Water Works Taking No. 113, dated 12/21/1906, recorded with said Deeds on 12/31/1906 at Book 1846, Page 128, and see also the accompanying Taking Plan No. 74, dated May 25, 1904 recorded therewith);

Thence S. 71° 19’ 19” E., 1101.56 feet, by land, formerly of L.F. Wood, now of the Commonwealth of Massachusetts, MDC, to a point at or near an iron pin found, said pin being at the easternmost corner of the parcel being described herein, said point being also at the northeasterly corner of other land, now or formerly of Sudbury Valley Trustees, Inc., shown as Lot C upon the plan cited below;

Thence S. 38° 10’ 53” W., 662.31 feet, by the northeasterly line of Lot C, to a point at its northwesterly corner, and at the northeasterly corner of other land, now or formerly of Sudbury Valley Trustees, Inc., shown as Lot B upon the survey plan cited below;

Thence S. 38° 10’ 53” W., 484.03 feet, by the northeasterly line of Lot B, to a wooden stake found at the southerly terminus of a stone wall segment, at its northwesterly corner, said stake being also at the northeasterly corner of land, late of David C. Hamilton, now or formerly, of owner unknown (see the deed recorded with said Deeds at Book 17238, Page 135, and the plan recorded as Plan 41 in Plan Book 408);

Thence N. 87° 14' 01" W., 88.68 feet, by the stone wall and by land, formerly of D.C. Hamilton, to a drill hole in the base of the wall, at a wall corner, said drill hole marking also a corner of the above referenced land, late of Clifford E. Spaulding, now of the Commonwealth of Massachusetts, MDC;

Thence N. 10° 04' 22" W., 177.89 feet, by the stone wall and land formerly of Spaulding, to another wooden stake set at the northerly terminus of the wall segment, at another corner;

Thence S. 79° 43' 16" W., 259.87 feet, entering and running by another wall segment, and the land late of Spaulding, to the first mentioned drill hole in the wall corner, at land, now or formerly, of Chalifoux, being the point and place of beginning.

Containing 18.49 acres, more or less, as shown as Lot E upon a plan entitled "Plan Of Land In Boylston, Massachusetts (Worcester County) Prepared For: Sudbury Valley Trustees", dated March 26, 2001, prepared by Schofield Brothers of New England, Inc., which plan is recorded with Worcester District Registry of Deeds, as Plan 42 in Plan Book 768.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the northwesternmost portion of the same premises described in a deed from Joseph H. Malone, Successor Trustee of the Malone Family Trust, under the will of Charles Malone (Middlesex Probate No. 419215), pursuant to the power conferred by said Will and by the Malone Family Trust, to Sudbury Valley Trustees, Inc. dated 30 October 2000 and recorded with Worcester District Registry of Deeds at Book 23157, Page 323.

The above described property is represented upon Boylston Assessors Revised Tax Maps, dated May 1997, as almost all of Parcel 12 on Map 66, and a small triangular lot along the northwesterly line of Parcel 6 on Map 67.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Sudbury Valley Trustees, Inc.	$ 140,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 140,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

The Commission further V O T E D: to authorize Acting Commissioner Robert H. Carr, Jr., to sign the EOEA Agency Article 97 Land Acquisition Transmittal Form for this acquisition

Adjourned at 9:30 a.m., to meet on Thursday, June 21, 2001, at 9:00 a.m.

Secretary

Record of the Three Thousand Nine Hundred and Eighty Eighth (3988th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 21, 2001.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 7, 2001, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Mrs. Graves Jones, June 11, recommending the following on Contract No. P99-1991-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC –
(a) That work be accepted as completed as of April 30, 2001.
(b) That reserve, in the amount of $334.19, be approved for payment.
(Basis of Award - $298,535.00)
(Amount to Date - $361,997.07)
(Contract Performance Rating – 3.28)
(EEO Compliance – 4.00)
The Commission V O T E D: that the work of Hi-Way Safety Systems, Inc., Contractor under Contract No. P99-1991-M1A, be and hereby is accepted as completed as of April 30, 2001.
The Commission further V O T E D: to approve release of reserve, in the amount of $334.19, for payment.

2. Report of Messrs. Faucher and Lenhardt, June 7, recommending approval of a revision in quantities on Item No. 3 – replace transition joint – at a cost of $13,750.00, on Contract No. P00-2046-C1A, with B & E Construction Corp., for Repair of Woods Memorial Bridge Deck, Everett/Medford.
(At no increase in contract cost as the revision will be offset by unused quantities in ExtraWork Order No. 3).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Misslin, Brooks and Ms. Farina, June 6, requesting approval of a new MDC Pool Design Policy.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Soroka, June 15, recommending approval of Alteration No. 1, as specified species of trees were not available and a determination was made that that the MDC would be better served by planting new trees – at a lump sum cost of $184,791.00, which will be credited for deleted landscape items, in the sum of $171,310.00, resulting in an increase in cost of landscape items, in the amount of $13,481.00, which will be offset by unused quantities in Item Nos. 859-299 and 656-120, on Contract No. P99-1988-C1A, with MRP Site Development, Inc., for Santilli Circle Safety Improvements, Everett.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Misslin, Brooks and Haider, June 15, on bids for Service and Maintenance of HVAC Systems at Various Flood Control Navigation Sites.
They recommend rejection of the low bid of General Air Conditioning & Heating, Inc., for failure to submit a DCAM Certificate of Eligibility, as required by Chapter 49, Section 44D inclusive of the General Laws.
(Messrs. Faucher, Misslin, Brooks and Haider further recommend acceptance of the second lowest bid, that of Patrick J. Kennedy & Sons, Inc., of $138,184.00).
The Commission V O T E D: to reject the low bid of General Air Conditioning & Heating, Inc., for failure to submit a DCAM Certificate of Eligibility, as required by Chapter 49, Section 44D inclusive of the General Laws.
The Commission further V O T E D: to accept the second lowest bid, that of Patrick J. Kennedy & Sons, Inc., of $138,184.00, as recommended by Messrs. Faucher, Misslin, Brooks and Haider in their report of June 15, 2001.

2. Report of Messrs. Faucher, Brooks, Gabra and Misslin, June 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit proposals for Project No. P01-2131-C1A, for Installation of New Backflow Preventer and Water Meter at the Maintenance Garage, 215 Nantasket Avenue, Hull.
Estimated Cost - $4,600.00.
Time for Performance – approximately thirty days.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. P01-2131-C1A, for Installation of New Backflow Preventer and Water Meter at the Maintenance Garage, 215 Nantasket Avenue, Hull.

3. Report of Messrs. Faucher, Misslin, Brooks and Kane, June 20, requesting approval of an extension of time from June 17, 2001 to November 1, 2001, on Contract No. P01-2115-C1A, with T. Cooney Construction, for Renovation of the Allston-Brighton Wading Pool Bathrooms, Brighton, due to scheduling of the manufacture and delivery of certain items, as they are not yet complete.
The Commission V O T E D: to approve an extension of time from June 17, 2001 to November 1, 2001, as requested by Messrs. Faucher, Misslin, Brooks and Kane, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Division of Watershed Management:

4. Report of Messrs. McGinn and Vignaly, May 29, recommending the following on Contract No. WM95-052-S1A, with Camp Dresser & McKee, Inc., for Stormwater Management Project –
(a) That work be accepted as completed as of September 30, 2000.
(b) That Invoice No. 6, in the amount of $13,436.11, be approved for payment.
(Basis of Award - $149,349.00)
(Amount to Date - $134,361.07)

(Contract Performance Rating – 6 with 10 being excellent)
(EEO Compliance – N/A)
The Commission V O T E D: that the work of Camp Dresser & McKee, Inc., Consultant under Contract No. WM95-052-S1A, be and hereby is accepted as completed as of September 30, 2000.
The Commission further V O T E D: to approve Invoice No. 6, in the amount of $13,436.11, for payment.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien and Ms. Garnett, June 15, requesting approval of Amendment No. 3, for an extension of time from June 30, 2001 to July 31, 2002 on Contract No. PL93-023-D2A, with Planners Collaborative, Inc., for Neponset River Trail Design Services, Dorchester and Milton, for the construction administration phase of the Contract.
The Commission V O T E D: Approved.

2. Report of Mrs. O'Brien and Mr. Corsi, June 8, requesting approval and execution of Amendment No. 5 to Contract-Agreement No. PL92-007-S1E, with Goody, Clancy and Associates, Inc., for Charles River Basin Master Plan, which calls for an extension of time from June 30, 2001 to September 30, 2002, at no additional cost to the Commission.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 5, dated June 21, 2001, to Contract-Agreement No. PL92-007-S1E, with Goody, Clancy and Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Mrs. O'Brien and Ms. Garnett, June 1, recommending approval and authorization to advertise Project No. PL01-074-D1A, for T and Schlager Design and Comprehensive Site Assessment, Dorchester.
Time for Performance – Eighteen months.
Estimated Cost - $576,000.00.
Account No. 2420-1420.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL01-074-D1A, for T and Schlager Design and Comprehensive Site Assessment, Dorchester.

Action was taken upon the following matters relating to the Office of General Counsel:

4. Report of Mr. Collette, June 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 18.15 acres of land owned by Stowell W. Pratt and Marilyn I. Pratt, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $ 110,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

The Commission V O T E D: to Report of Mr. Collette, June 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 18.15 acres of land owned by Stowell W. Pratt and Marilyn I. Pratt, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of the road leading from Princeton to Westminster, by the easterly side of Mount Wachusett, known as Mountain Road, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel being described herein, at a point in the westerly terminus of a stone wall, said point being in the easterly location line of Mountain Road, as laid out by the Commissioners of the former County of Worcester in 1952 in Decree 1643, recorded with Worcester District Registry of Deeds at Book 3454, Page 309, and as shown upon Plan H-3247-R, recorded with said Deeds as Plan 118 in Plan Book 184, said stone wall, located at Station 304+06.95 on the above layout, marking the boundary line between the parcel being described herein and abutting land, formerly of one Temple, later of Mary E. Bourn et als, and now or formerly, of Richard W. Mirick (see the deed recorded with said Deeds at Book 4928, Page 50), said point of beginning being further identified as being located 101.80 feet northwesterly of a Worcester County Highway bound found at Station 303+00.00 in the easterly line of said road, as measured along the arc of a curve to the left, having a radius of 2360.00 feet, said arc being subtended by a central angle of 2° 28’ 18”, with a tangent of 50.91 feet, and a chord bearing N. 8° 05’ 23” W., with a chord length of 101.80 feet;

Thence	S. 87° 53’ 42” E., 81.26 feet, by land, now or formerly, of Richard W. Mirick and the stone wall, to a point therein;
Thence	S. 87° 00’ 37” E., 240.84 feet, by land, now or formerly, of R.W. Mirick and the wall, to a drill hole made, at a point therein;

Thence S. 86° 38’ 03” E., 177.72 feet, by land, now or formerly, of Mirick and the wall, to another drill hole made at a point, in an angle of the wall;

Thence N. 84° 32’ 14” E., 210.21 feet, by the wall, to another drill hole made in a wall junction;

Thence S. 51° 40’ 58” E., 26.69 feet, by the wall, to a point therein;

Thence S. 54° 32’ 46” E., 7.00 feet, by the wall, to another drill hole made at a point therein;

Thence S. 54° 32’ 46” E., 55.03 feet, by the wall, to another drill hole made at a point in a wall corner;

Thence N. 35° 39’ 33” E., 91.74 feet, by the wall, to another drill hole made at a point in another wall corner;

Thence S. 54° 18’ 49” E., 129.39 feet, by the wall, to another drill hole made at a point therein;

Thence S. 67° 36’ 01” E., 30.56 feet, by the wall, to another drill hole made at a point therein;

Thence S. 82° 39’ 23” E., 24.95 feet, by the wall to another drill hole made at a point therein;

Thence N. 88° 32’ 26” E., 68.70 feet, by the wall, to a point therein;

Thence S. 69° 32’ 34” E., 7.37 feet, by the wall, to a point therein;

Thence S. 81° 40’ 30” E., 28.63 feet, by the wall, to a point therein;

Thence S. 86° 23’ 40” E., 9.02 feet, by the wall, to a point therein;

Thence N. 86° 57’ 55” E., 59.40 feet, by the wall, to another drill hole made at a point therein, at an angle in the wall;

Thence S. 59° 10’ 56” E., 100.67 feet, by the wall, to another drill hole made at a point therein, at another angle in the wall;

Thence S. 01° 23’ 34” E., 146.58 feet, by the wall, to a point therein;

Thence S. 03° 17’ 39” W., 110.12 feet, by the wall, to another drill hole made at a point in a wall junction;

Thence S. 12° 01’ 43” E., 33.85 feet, by the wall, to another drill hole made at a point therein;

Thence S. 40° 05’ 51” E., 128.48 feet, by the wall, to a point therein;

Thence S. 31° 27’ 52” E., 403.38 feet, by the wall, to a point in a wall corner, said point being the easternmost point of the parcel being described herein;

Thence S. 44° 10’ 08” W., 405.28 feet, by the wall, to a point therein;

Thence S. 42° 26’ 29” W., 83.52 feet, by the wall, to another drill hole made at a point therein, at a gap in the wall, near the northerly line of an AT&T underground cable easement
(see the instrument dated 01/13/1964 recorded with said deeds at Book 4452, Page 50);

Thence S. 43° 42’ 11” W., 54.03 feet, crossing the gap in the wall, and the cable easement, and running to a drill hole found in the northeasterly end of the continuation of the wall;

Thence S. 43° 42’ 56” W., 331.58 feet, by the wall, to an iron pin found in a wall junction, at other land, formerly of Stowell W. & Marilyn I. Pratt, now or formerly, of Richard J. & Jocelyn M. Morrison (see the deed of Pratt to Morrison, dated 10/14/1998 recorded with said Deeds at Book 20583, Page 336 and see also the accompanying plan recorded as Plan 63 in Plan Book 731), the last twenty-six (26) courses being by land, now or formerly, of the aforesaid Richard W. Mirick;

Thence N. 64° 40’ 04” W., 65.71 feet, by land, now or formerly, of R.J. & J.M. Morrison, and the wall, to a point therein;

Thence N. 62° 48’ 03” W., 185.79 feet, by land, now or formerly, of R.J. & J. M. Morrison, and the wall, to a drill hole found at a point in a wall corner, said point being the southernmost point of other land, now or formerly, of Stowell W. & Marilyn I. Pratt, shown as Lot 1 on the survey plan referenced below, at the conclusion of this description, said Lot 1 being specifically excepted and excluded from the provisions of this instrument, and reserved to the supposed owners, Stowell W. & Marilyn I. Pratt, their successors and assigns;

Thence	N. 04° 21’ 20” E., 198.57 feet, by Lot 1, and the wall, to a drill hole found in the northerly end of the wall, near the southerly line of the AT&T cable easement cited above;
Thence	N. 46° 14’ 27” E., 552.07 feet, crossing the cable easement and running by Lot 1, to a drill hole found in another stone wall;
Thence	N. 25° 23’ 41” W., 363.64 feet, by Lot 1 and the wall, to another drill hole found at a point in a wall junction corner;
Thence	N. 81° 20’ 31” W., 901.17 feet, by the northerly line of Lot 1, to a point in the easterly line of the 1952 WCH Record Layout of Mountain Road, said point being just northerly of the driveway serving Lot 1, and lying S. 09° 19’ 32” E., 115.79 feet from the WCH bound cited above at Station 303+00.00;
Thence	N. 09° 19’ 32” W., 115.79 feet, by the record layout of the highway to the WCH bound at Station 303+00.00;
Thence	Northwesterly, by the record layout of Mountain Road, along the arc of a curve to the left, having a radius of 2360.00 feet, an arc distance of 101.80 feet, to a point of tangency, said point being the first mentioned point in the stone wall at land, now or formerly, of Richard W. Mirick, and being the point and place of beginning.

Containing 18.15 acres as shown as Parcel A upon a plan entitled “ Plan Of Land 176 Mountain Road, Princeton Mass., Prepared For Stowell W. & Marilyn I. Pratt”, dated June 18, 2001and prepared by Andrysick Land Surveying, Inc., Douglas W. Andrysick, P.L.S., (a copy of which plan is on file in the Office of the General Counsel of the Metropolitan District Commission, at Commission Headquarters located at 20 Somerset Street, Boston MA,) which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and be made a part hereof.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mountain Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the larger portion of the remaining part of the same premises described in a deed from Marilyn I. Pratt to Stowell W. Pratt and Marilyn I. Pratt, dated 21st April 1983 and recorded with the Worcester District Registry of Deeds at Book 7739, Page 17.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Stowell W. Pratt and Marilyn I. Pratt	$ 110, 000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 110,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

1. Report of Mr. Gray, June 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 219.2 acres of land owned by Kenton T. Harrison and Rhoderick L. Harrison, Trustees of Dorothy J. Harrison Trust-1994, et als, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $ 2,400,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 219.2 acres of land owned by Kenton T. Harrison and Rhoderick L. Harrison, Trustees of Dorothy J. Harrison Trust-1994, et als, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain assemblage of 12 contiguous parcels of land lying on the northerly side of the Worcester County Highways known as Route 31-South Road and Paxton Road, and upon the southerly side of Kendall Road, a town way, containing 219.2 acres, more or less, more particularly bounded and described as follows:

All of the property in the said Town of Holden, northerly of Route 31, South Road and Paxton Road, and southerly of Kendall Road, a town road, now held by the supposed owners listed below, but specifically excepting and excluding the third parcel of land described in a deed from Dorothy J. Harrison to Dorothy J. Harrison, as Trustee of the Harrison Realty Trust u/d/t dated December 31, 1991 and recorded thereon with Worcester District Registry of Deeds as Instrument # 117482, the said deed, of the same date, having been recorded with said Deeds at Book 13863, Page 336. The excluded parcel, containing 35.891 acres, is shown as "Parcel C" upon a survey plan entitled Plan Of Land, Holden, Massachusetts, Prepared for Dorothy J. Harrison", dated October 30, 1991, prepared by Fox Land Surveying, 53 Pleasant Street, Northboro, Mass., signed and stamped by Whilton E. Fox, R.L.S., which plan is recorded with said Deeds as Plan 29 in Plan Book 655.

The assembled parcels intended to be taken herein and hereby are generally bounded and described as follows:

Easterly by the excluded Parcel C, and by lands, now or formerly, of the City of Worcester, Worcester Water Works, Kendall Reservoir and surrounding lands;

Northerly by the southerly line of Kendall Road, a Town of Holden Roadway;

Southwesterly by the Holden-Paxton Town Line;

Westerly by land, now or formerly, of Alexis A. Davis & Laura E. Davis, and by land, now or formerly, of the Worcester Natural History Society;

Southwesterly by the Holden-Paxton Town Line, and

Southerly by the northerly line of the Worcester County Highway Record Layouts of Route 31, South Road and Paxton Road.

The excepted and excluded Parcel C is bounded and described as follows:

Beginning at the southwesterly corner of the parcel at an iron pin at Station 33+00.00 on the Worcester County Highway Record Layout of Route 31-Paxton Road, which pin is located N. 78° 47' 50" E., 199.87 feet from the WCH bound found at Station 31+00.13, and at other land of Harrison et al, generally described above and taken herein and hereby;

Thence N. 78° 47' 50" E., 221.73 feet, by the WCH Record Layout, to a WCH bound found at Station 35+21.67;

Thence Northeasterly, by the WCH Record Layout, along the arc of a curve to the left, having a radius of 8030.00 feet, an arc distance of 342.55, to a point of tangency, said point being at another WCH bound as shown upon the plan cited above;

Thence Northeasterly, by the WCH Record Layout, along the arc of a curve to the left, having a radius of 970.00 feet, an arc distance of 682.08 feet, to a point of tangency, which point is in or near the shoreline of a small pond;

Thence N. 40° 56’ 15” E., 440.15 feet, by the WCH Record Layout of Route 31-South Road, to WCH bound found at Station 50+06.37;

Thence Northeasterly, by the WCH Record Layout, along the arc of a curve to the right, having a radius of 630.00 feet, an arc distance of 31.46 feet, to a point of tangency, said point being in the southerly end of a stone wall marking the westerly line of land, now or formerly, of the City of Worcester, Worcester Water Works (see the instrument recorded with said Deeds at Book 3211, Page 528);

Thence N. 38° 15’ 35” W., 92.15 feet, by the stone wall, to a stake set therein;

Thence N. 37° 43’ 12” W., 143.11 feet, by the stone wall to a point in a wall corner, located 2.10 feet from a Worcester Water Works monument found, in line of the wall course below;

Thence S. 69° 15’ 40” W., 120.90 feet, by the wall, to a point therein, near another WWW monument found 1.7 feet off of the northerly face of the wall;

Thence On the same bearing, 4.10 feet, by the wall, to a point therein;

Thence N. 16° 00’ 21” W., 530.74 feet, running through another WWW monument found 2.15 feet off of the southerly face of another wall, and running to a point in the said wall, said point being at the northeasterly corner of the excluded parcel being described herein;

Thence S. 75° 30’ 39” W., 271.62 feet, by the wall, to another WWW monument found in the wall, at a corner of land, now or formerly, of Worcester Water Works, and other land of Harrison et al, taken herein and herewith, the last six courses being by land, now or formerly of Worcester Water Works;

Thence S. 78° 21’ 28” W., 195.88 feet, by the stone wall to a stake at the end of the wall;

Thence On the same bearing, 60.97 feet, to a point;

Thence S. 78° 47’ 50” W., 833.29 feet, running through two iron pins set on line and ending at a third, marking the northwesterly corner of the parcel herein being described;

Thence S. 11° 12' 10" E., 1175.44 feet, running through another iron pin set on line, and a drill hole in a boulder on line and ending at the first mentioned iron pin in the northerly line of the WCH Record Layout of Route 31-Paxton Road, at the southwesterly corner of the parcel being described herein, being the point and place of beginning.

This excepted and excluded Parcel C is represented upon Holden Assessors Plan 168 as Parcel 2, a lot of 35.90 acres.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Route 31, South Road & Paxton Road, and/or Kendall Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and being the same premises described in a deed from Kenton T. Harrison and Rhoderick L. Harrison, Trustees of Harrison Realty Trust to Kenton T. Harrison and Rhoderick L. Harrison, Trustees of the Dorothy J. Harrison Realty Trust-1994, Kenton T. Harrison, Rhoderick L. Harrison, J. Jonathan Harrison and Joan Harrison, dated June 18, 2001 and recorded with Worcester District Registry of Deeds as Document No. 87017 and recorded on June 20, 2001.

The above described property is represented upon Holden Assessors Tax Maps as the following Map and Parcel numbers: 142-1; 153-4; 153-5; 153-6; 154-1; 167-3;167-4;167-5; 167-6; 167-7; 168-1; 168-3 and 180-2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land. The Commission expressly grants the supposed owners of record the right to enter upon and use said land for purposes of walking thereon, for so long as said owners of record own the property.abutting said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Kenton T. Harrison & Rhoderick L. Harrison, Trustees of the Dorothy J. Harrison Trust-1994 J. Jonathan Harrison Kenton T. Harrison Rhoderick L. Harrison Joan Harrison	$ 2,400,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 2,400,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

1. Report of Mr. Gray, June 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 31 acres of land owned by the Sterling Camp Meeting Association, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $ 217,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 31 acres of land owned by the Sterling Camp Meeting Association, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 2001

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Campground Road, shown as “Restricted Area ± 31 Acres” upon a plan ” upon a plan prepared by MDC Division of Watershed Management personnel, dated May 25, 2001 and labeled ‘EXHIBIT A’ which plan is appended hereto, to be recorded herewith and made a part hereof, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel being described herein, at a stone monument set at a point in the southeasterly line of the said town road, to mark the northeasterly corner of the abutting lot, formerly land of Rosie A. Howe, now of the Commonwealth of Massachusetts, Metropolitan District Commission, (see Metropolitan Water & Sewer Board Taking No. 162, dated 5/12/1919, recorded with Worcester District Registry of Deeds at Book 2176, Page 115, see also the accompanying Taking Plan No. 196, recorded as Plan 41 in Plan Book 32);

Thence N. 32° E., 620 feet, more or less, by the line of the road, to an angle in the line thereof;

Thence N. 46° E., 650 feet, more or less, by the line of the road, to a point of curvature therein;

Thence Northeasterly, 80 feet, more or less, by the curving line of the road, to a point, at other land, now or formerly, of the Sterling Camp Meeting Association, specifically excluded from the provisions of this instrument, shown as the "Unrestricted Area ± 31.5 Acres" upon 'EXHIBIT A';

Thence S. 11° W., 720 feet, more or less, by the "Unrestricted Area", and running to a point at an angle in the line;

Thence S. 69° W., 200 feet, more or less, by the "Unrestricted Area", and running to a point at another angle in the line;

Thence S. 50° E., 370 feet, more or less, by the "Unrestricted Area", and running to a point at another angle in the line;

Thence S. 72° E., 580 feet, more or less, by the "Unrestricted Area", and running to a point at another angle in the line;

Thence N. 64° E., 820 feet, more or less, by the "Unrestricted Area", and running to a point in the southwesterly line of Campground Road;

Thence S. 43° E., 240 feet, more or less, by the southwesterly line of Campground Road, to a point;

Thence S. 39° 39' 41" E., 28.49 feet, by Campground Road, to a point in the westerly side of an 8 foot wide cart road;

Thence S. 31° 29' 15" W., 29.04 feet, by Campground Road, crossing the cart road and running to a point at the northwesterly corner of land, now of formerly, of New England Power Company (see the deed recorded with said Deeds at Book 2487, Page 163), said point being the northeasterly corner of land, formerly of Carrington F. Noel, now or formerly, of Francis X. & Anthony J. Tambolleo (see deed dated 1/26/1979 recorded with said Deeds at Book 6878, Page 215);

Thence S. 80° W., 379.5 feet, by land, formerly of C. F. Noel, now or formerly, of F.X. & A. J. Tambolleo, to a point at an angle in the line;

Thence S. 38° 15' W., 1195 feet, more or less, by land, now or formerly, of F.X. & A.J. Tambolleo, to an iron pin found, at the southerly end of a stone wall, at the

southwesterly corner of the parcel herein being described, said pin marking the southeasterly corner of land, formerly of Fox Hill Builders, Inc., now of the Commonwealth of Massachusetts, Metropolitan District Commission (see Order of Taking dated 11/20/1997 recorded with said Deeds at Book 19450, Page 1, and see also the Charles A. Perkins Co., Inc., plan dated August 1974, cited in that instrument, recorded as Plan 31 in Plan Book 407);

Thence	N. 38° W., 1301.78 feet, by land of the Commonwealth of Massachusetts, MDC, and the stone wall, to a stone monument in a stone wall corner, at the southeasterly corner of the first mentioned abutting lot, formerly of Rosie A. Howe;
Thence	Northwesterly, 305 feet, more or less, by land, formerly of Rosie A. Howe to the first mentioned stone monument in the southeasterly line of Campground Road, being the point and place of beginning.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Sterling Camp Meeting Association	±31 acres, more or less

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in the following instruments 1) a deed from John Gates to the Worcester District Methodist Episcopal Church Camp Meeting Association, dated September 4th 1856 and recorded with the Worcester District Registry of Deeds at Book 586, Page 287, on September 25th 1857; 2) a deed from John Gates to the Worcester District Methodist Episcopal Church Camp Meeting Association, dated November 14, 1860 and recorded with said Deeds at Book 640, Page 558, on July 3rd 1861; 3) a deed from John Gates to the Sterling Camp Meeting Association, dated February 26th 1867 and recorded with said Deeds at Book 742, Page 189, on March 5th 1867; 4) a deed from John Gates to the Sterling Camp Meeting Association, dated April 4, 1873, and recorded with said Deeds at Book 900, Page 338, on June 9th 1873; and 5) a deed from the Trustees of Sterling Camp Meeting Association to Sterling Camp Meeting Association, dated August 4th, 1894, and recorded with said Deeds at Book 1449, Page 527.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways or portions thereof, shall be permitted on said premises.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.

3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for the development of any adjoining unrestricted land.

4. No septic systems or leach fields shall be permitted; provided, however, that the landowners shall be expressly allowed to use an area not to exceed five (5) acres within the above described premises, for purposes of placing a subsurface sewage disposal system to service the adjacent, unrestricted campground, but only to maintain the existing sewage flow and serve the number of camp structures on site as of the date of the recording of this taking, and to be so placed with the prior approval of the Division of Watershed Management, which approval shall not be reasonably withheld.

5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers shall be permitted.

7. No tillage shall be permitted.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns

or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Sterling Camp Meeting Association	$ 217,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 217,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A

1. Report of Ms. McLaughlin, June 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.63 acres of land owned by Mark C. Stuart and Debra A. Stuart, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $ 60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.63 acres of land owned by Mark C. Stuart and Debra A. Stuart, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Wilder Road, between said road and an unnamed brook, more particularly bounded and described as follows:

Beginning at a Worcester County Highway bound in the southeasterly layout line of the 1934 Worcester County Highway Layout of Wilder Road, said bound being located N. 23° 19' 40" E., 20.64 feet from the southwesterly corner of the parcel herein being described, and also from the northwesterly corner of another subdivided parcel of land, formerly of Eleanor M. Wilder, now of the Commonwealth of Massachusetts, Metropolitan District Commission, shown as Lot 2 upon a recorded survey plan referenced at the conclusion of this description (see order of taking dated 7/09/98 recorded with Worcester District Registry of Deeds on 8/06/98 at Book 20274, Page 270);

Thence Northeasterly along the arc of a curve to the right, having a radius of 459.21 feet, to a point of tangency, said point falling on an iron pin at the northwesterly corner of the parcel being described, at other land, formerly of Eleanor M. Wilder, now or formerly, of David K. Klinkhamer & Norma J. Maypother (see deed dated 6/24/87 recorded with said Deeds at Book 10579, Page 137) said iron pin being located 78.16 feet southwesterly, as measured along the arc of the curve from another Worcester County Highway bound;

Thence S. 69° 46' 00" E., 348.00 feet, to another iron pin, near the unnamed brook;

Thence S. 16° 23' 27" E., 192.14 feet, to another iron pin, at the southeasterly corner of the parcel being described, and the northeasterly corner of Lot 2, referenced above;

Thence N. 72° 09' 30" W., 500.00 feet, to a point in the southeasterly line of Wilder Road, the last two courses being by lands, formerly, of Eleanor M. Wilder, now of the Commonwealth of Massachusetts, MDC (see order of taking referenced above);

Thence N. 23° 19' 40" E., 20.46 feet, by the southeasterly line of Wilder Road, to the first mentioned Worcester County Highway bound, being the point and place of beginning.

Containing 1.63 acres, as shown as Lot 1 upon a plan entitled "Land In Sterling Mass. Surveyed For Eleanor M. Wilder", dated March 1985, prepared by Charles A. Perkins Co., Inc., which plan is recorded with Worcester District Registry of Deeds as Plan 110 in Plan Book 536.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wilder Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from Eleanor M. Wilder to Mark C. Stuart and

Debra A. Stuart, dated 25th June 1985 and recorded with Worcester District Registry of Deeds at Book 8776, Page 129.

The above-described property is represented upon Sterling Assessors Tax Map 45 as Parcel 33.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Mark C. Stuart and Debra A. Stuart	$ 60,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $ 60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Ms. McLaughlin, June 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.3125 acres of land owned by David P. Dahlstrom, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $ 275,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.3125 acres of land owned by David P. Dahlstrom, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 21, 2001.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Hyde Park District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

Ten certain subdivided house lots, in the said Hyde Park District (formerly the Town of Hyde Park, Norfolk County Massachusetts) shown as Lots 83, 84, 85, 86, 94, 95, 100, 101, 102, & 103 upon a plan entitled "Gordon Hall, Hyde Park, Auction Sale of building lots Thursday Sept. 29th At 3¼ P.M., Gorham P. Phinney, Auctioneer 17 Central Street Boston, dated Boston Sept. 20, 1870, Office of W.A. Garbett, C.E., C.H.W. Wood, Surveyor, which plan is recorded with Norfolk County Registry of Deeds at the end of Deed Book 397, said lots lying on the southwesterly side of Emmet Street (formerly Park Street) and the northeasterly side of Gordon Avenue, more particularly bounded and described as follows:

First Assemblage Lots 83-86 and 94+95.

Beginning at a point in the southwesterly line of Emmet Street, at the northernmost corner of Lot 87, as shown upon the recorded survey plan cited above, land, formerly of James Hayes, and now or formerly, of Margherita Ciampa-Coyne (see deed dated 23rd June 1997 recorded with Suffolk County Registry of Deeds at Book 21501, Page 279);

Thence Northwesterly, 204.40 feet, by the southwesterly line of Emmet Street, to a point at the southeasterly corner of Lot 82, other land, now or formerly, of David P. Dahlstrom (see the 1st parcel in the deed dated 15th June 1984 recorded with said Deeds at Book 10976, Page 48);

Thence Southwesterly, 133.00 feet, by the southeasterly line of Lot 82, to a point in the northeasterly or rear line of Lot 97, other land, now or formerly, of David P. Dahlstrom (see the 1st parcel in the deed dated 29th June 1976 and recorded with said Deeds at Book 8878, Page 385);

Thence Southeasterly, about 72 feet, more or less, partially by the northeasterly line of Lot 97 and by the entire northeasterly or rear line of Lot 96, to a point at its southeasterly corner;

Thence Southwesterly, 129.00 feet, by the southeasterly sideline of Lot 96, to a point in the northeasterly line of Gordon Avenue;

Thence Southeasterly, 90.00 feet, by the northeasterly line of Gordon Avenue, to a point at an angle in the frontage of Lot 94;

Thence Southwesterly, 10.00 feet, by the easterly line of Gordon Avenue, to a point at the northwesterly corner of Lot 93, land, formerly of John J. McGuire, now or formerly, of Richard D. Lewis (see deed dated 19 October 1967 recorded with said Deeds at Book 8155, Page 252);

Thence Northeasterly, 140.00 feet, by the northerly line of Lot 93, to a point in the westerly line of Lot 86;

Thence Southeasterly, 30.00 feet, by the easterly or rear line of Lot 93, to a point in the northwesterly line of Lot 90, other land, now or formerly, of David P. Dahlstrom (see the 6th parcel in the deed dated 15th June 1984 recorded with said Deeds at Book 10976, Page 48);

Thence Northeasterly, 26.50 feet, by the northwesterly line of Lot 90, to a point in the westerly line of Lot 87, land, now or formerly, of M. Ciampa-Coyne, as referenced above;

Thence Northwesterly, 10.00 feet, by the rear line of Lot 87, to a point at its northwesterly corner;

Thence Northeasterly, 112.10 feet, by the northwesterly line of Lot 87, to the first mentioned point in the southwesterly line of Emmet Street, being the point and place of beginning.

Containing 42,561 square feet, or 0.9771 acres, as calculated from the areas of the individual lots shown upon the record plan cited above.

The above described premises, First Assemblage, is carried upon the City of Boston Tax Rolls as Ward 18 Parcels 11416, 11417, 11418, 11419, 11427 and 11428, and is represented as such upon Assessors Plan Ward~18181 Part of Block~413-459.

Second Assemblage Lots 100, 101, 102 and 103

Beginning at a point in the northeasterly line of Gordon Avenue, at the northwesterly corner of Lot 99, other land, now or formerly, of David P. Dahlstrom, said point marking also the southwesterly corner of Lot 100;

Thence Northeasterly, 117.00 feet, by the northwesterly line of Lot 99, to a point at its northeasterly corner, and being a point in the southwesterly line of Lot 80, other land, now or formerly, of David P. Dahlstrom;

Thence Northwesterly, 225.00 feet, by the southwesterly or rear lines of Lots 80 and 79, other land, now or formerly, of David P. Dahlstrom, and by the southwesterly lines of Lots 76, 77 and 78, lands, now or formerly, of Anthony C. Mercuri, Trustee of JHW Realty Trust (see deed dated March 23, 1989 recorded with said Deeds at Book 15442, Page 349), to a point at land, formerly of Reeva Goode, Trustee of G&O Realty Trust, now of the Commonwealth of Massachusetts, Metropolitan District Commission, being a portion of Stony Brook Reservation (see order of taking dated June 28, 1990 recorded with said Deeds at Book 16355, Page 264);

Thence Southwesterly, 105.00 feet, by Stony Brook Reservation, to a point in the northeasterly line of Gordon Avenue, at the northwesterly corner of Lot 103;

Thence Southeasterly, 206.00 feet, by the northeasterly line of Gordon Avenue, to the first mentioned point at the northwesterly corner of Lot 99, being the point and place of beginning.

Containing 23,972 square feet, or 0.550 acres, based upon individual square footages shown for each of the included lots, both upon the record plan referenced above, prior to the description of the First Assemblage, and upon the same areas carried upon the Boston Assessors Plans.

The above described premises, Second Assemblage, is carried upon the City Of Boston Tax Rolls as Ward 18 Parcels 11433, 11434, 11435 and 11436, and are shown as such upon Assessors Map Ward~18181 Part of Block~413-459.

The total area taken in fee, herein and hereby, is calculated to be 66,533 square feet, or 1.5274 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Gordon Avenue and/or Emmet Street, which may be held by the supposed owner, as a result of his ownership of the above described property, and being most of the same premises described in a deed from Thomas A. Diab to David P. Dahlstrom, dated 15th June 1984 and recorded with Suffolk County Registry of Deeds at Book 10976, Page 045, and also being part of the same premises described in a deed from Helen T. Bennett and Helen F. Catarius to David P. Dahlstrom, dated 29th June 1976 and recorded with said Deeds at Book 8878, Page 385, and also being some of the same premises bequeathed by Irene R. Dahlstrom, deceased, to her son David P. Dahlstrom, see Suffolk Probate No. 465477, and the deed from Ovide Morin to Irene Dahlstrom dated 25th May 1940 and recorded with said Deeds at Book 5859, Page 165.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
David P. Dahlstrom	$ 186,188.23

AND IT IS FURTHER ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Section 33 and 79 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for park and reservation and protection of open space purposes, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a conservation restriction in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Hyde Park District of the City of Boston in the County of Suffolk (formerly the Town of Hyde Park in the County of Norfolk) and Commonwealth of Massachusetts, namely:

Four certain subdivided house lots, and a portion of a fifth lot, described below as two parcels, lying between Emmet Street (formerly Park Street) and Gordon Avenue, shown upon the survey plan cited at the beginning of this instrument and recorded with Norfolk County Registry of Deeds at the end of Deed Book 397.

Parcel No.1

A certain parcel of land, lying on the southwesterly side of Emmet Street, comprising the whole of Lot 79 and the adjoining 15 feet of Lot 80, more particularly bounded and described as follows:

Beginning at a point in the southwesterly side of Emmet Street, at the southeasterly corner of Lot 78, land, now or formerly, of Anthony C. Mercuri, Trustee of JHW Realty Trust (see deed dated March 23, 1989 and recorded with said Deeds at Book 15442, Page 349);

Thence Southwesterly, 120.90 feet, by the southeasterly line of Lot 78, to a point in the rear or northeasterly line of Lot 101, other land, now or formerly, of David P. Dahlstrom, described above as a portion of the Second Assemblage, and intended to be taken in fee, herein and hereby;

Thence Southeasterly, 65.00 feet, by the rear or northeasterly lines of Lots 101 and 100 (see Second Assemblage described above), to a point;

Thence Northeasterly, 124.53 feet, more or less, through Lot 80, to a point in the southwesterly line of Emmet Street, said point being 15.00 feet, as measured by the line of the street, from the northeasterly corner of Lot 80;

Thence Northwesterly, 65.00 feet, by the southwesterly line of Emmet Street, to the first mentioned point at the southeasterly corner of Lot 78, being the point and place of beginning.

Containing 7,950 square feet, more or less, or 0.1825 acres, more or less, as calculated from information shown upon the record survey plan and Boston Assessors Plans.

The above described premises, Parcel No.1, is carried upon the City of Boston Tax Rolls as Ward 18 Parcel 11412 and part of Parcel 1413, and is represented as such upon Assessors Plan Ward~18181 Part of Block~413-459.

Parcel No. 2

A certain parcel of land lying on the northeasterly side of Gordon Avenue, comprised of Lots 96, 97, 98 and 99 as shown upon the record survey plan cited above, more particularly bounded and described as follows:

Beginning at a point in the northeasterly side of Gordon Avenue, at the northwesterly corner of Lot 95, other land, now or formerly, of David P. Dahlstrom (see First Assemblage, as described above);

Thence Northeasterly, 129.00 feet, by the northwesterly line of Lot 95, to a point in the southwesterly or rear line of Lot 84, other land, now or formerly, of David P. Dahlstrom (see First Assemblage, as described above);

Thence Northwesterly, 200.00 feet, by the southwesterly or rear lines of Lots 84, 83, 82, 81 and partially by 80, to a point at the southeasterly corner of Lot 100, other land, now or formerly, of David P. Dahlstrom (see Second Assemblage, as described above);

Thence	Northwesterly, 114.00 feet, by the southwesterly line of Lot 100, to a point in the northeasterly line of Gordon Avenue, said point being at the southwesterly corner of Lot 100;
Thence	Southeasterly, 200.00 feet, by the northeasterly line of the avenue, to the first mentioned point at the northwesterly corner of Lot 95, being the point and place of beginning.

Containing 26,248 square feet, or 0.6026 acres, as shown upon the record survey plan and upon Boston Assessors Maps.

The above described premises, Parcel No. 2, is carried upon the City of Boston Tax Rolls as Ward 18 Parcels 11429, 11430, 11431 and 11432, and is shown as such upon Assessors Plan Ward~18181 Part of Block~413-459.

The aforementioned parcels are supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
David P. Dahlstrom	34,198 square feet or 0.7851 acres

Meaning and intending to take hereby a preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises devised from Irene R. Dahlstrom to her son David P. Dahlstrom, see Suffolk County Probate No. 465477, and the deed from Frank J. Morrison to Irene Dahlstrom dated May 15, 1945 and recorded with said Deeds at Book 6143, Page 361, and also being a portion of the same premises described in a deed from Helen T. Barrett and Helen F. Catarius to David P. Dahlstrom, dated 29th June 1976, and recorded with Suffolk County Registry of Deeds at Book 8878, Page 385. And also a portion of the same premises described in a deed from Thomas A. Diab to David P. Dahlstrom, dated 15th June 1984 and recorded with Suffolk County Registry of Deeds at Book 10976, Page 045.

AND IN LIKE MANNER, for the same purposes and in virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, to the following restrictions on the use of the parcels of land hereinabove described:

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.

3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.

4. No septic systems or leach fields shall be permitted.

5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers shall be permitted.

7. No tillage.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to park protection and preservation, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The conservation restriction hereby does not grant either said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction, or the public, any right to enter upon the lands hereinabove described, except that such Commission, its successors, assigns or other authority may enter upon said lands at any time for the purpose of inspecting said lands and enforcing the forgoing restrictions and remedying any violations of same. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the forgoing restrictions and the remedying of any violations of same. The conservation restriction taken hereby and the terms and provisions hereof, shall run with the land.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the lands hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
David P. Dahlstrom	$ 88,811.77

The following lands are specifically excluded from the above fee takings and conservation restriction provisions set forth above, and reserved to the supposed owner, David P. Dahlstrom, his heirs and assigns - the southeasterly two thirds of Lot 80, Ward 18 Parcel 11413, and all of Lots 81, 82 and 90, Ward 18 Parcels 11414, 11415 and 11422 respectively.

The Commission further VOTED: to approve an award of damages in the amount of $ 275,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:10 a.m., to meet on Thursday, June 28, 2001, at 9:00 a.m.

Secretary

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